

SCHEDULE 2

regulation 7(1)(b)

RULES WITH RESPECT TO THE PAYMENT OF SUBSISTENCE ALLOWANCES

1. Subsistence allowances shall be payable in respect of both an absence involving an absence overnight from the usual place of residence and an absence not involving an absence overnight from the usual place of residence.

2.—(1) The rates of subsistence allowance not involving an absence overnight from the usual place of residence shall be determined by the council in respect of the time specified in subparagraph (3).

(2) Where breakfast, lunch, tea or evening meal is taken on a train the reasonable cost of the meal (including value added tax) may be reimbursed in full, in respect of the time specified in subparagraph (3).

(3) The meals allowances and the time away from home specified for the purposes of subparagraph (1) are—

- (a) breakfast allowance: an absence of four hours away from the normal place of residence or where the council permits, a lesser period, before 11 am;
- (b) lunch allowance: an absence of four hours away from the normal place of residence or where the council permits, a lesser period, including all of the period between 12 noon and 2 pm;
- (c) tea allowance: an absence of four hours away from the normal place of residence or where the council permits, a lesser period, including all of the period between 3 pm and 6 pm; and
- (d) evening meal allowance; an absence of four hours away from the normal place of residence or where the council permits, a lesser period, ending after 7 pm.

3. The rates of subsistence allowance for an absence overnight from the usual place of residence shall be determined by the council.

4. The rates determined in respect of an absence overnight from the usual place of residence shall cover a continuous period of absence of twenty-four hours.

5. For an absence overnight of a period less than twenty-four hours, an appropriate amount in respect of any meal allowance shall be deducted from the maximum rate determined.

6. Any rate determined shall be reduced by an appropriate amount in respect of any meal provided free of charge by any body during the period to which the allowance relates.

7.—(1) For an absence from the usual place of residence overnight in London or exceptionally in any other place in the British Isles approved by the Department, the rates may be increased by a supplementary allowance of such amount as the council may determine.

(2) For the purpose of this paragraph London means the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.