

1969 No. 1621 (S.138)

## JUVENILE COURTS AND OFFENDERS

The Children's Panels and Children's Panel Advisory Committees  
(Travelling Allowances, etc.) (Scotland) Regulations 1969

<i>Made</i> - - -	13th November 1969
<i>Laid before Parliament</i>	20th November 1969
<i>Coming into Operation</i>	21st November 1969

In exercise of the powers conferred on me by paragraph 8 of Schedule 3 to the Social Work (Scotland) Act 1968(a) I hereby make the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Children's Panels and Children's Panel Advisory Committees (Travelling Allowances, etc.) (Scotland) Regulations 1969 and shall come into operation on 21st November 1969.

*Interpretation*

2.—(1) In these regulations, unless the context otherwise requires:

“the Act” means the Social Work (Scotland) Act 1968;

“children's panel” means a panel formed under section 33(1) of the Act;

“Children's Panel Advisory Committee” means a committee formed under paragraph 3 of Schedule 3 to the Act;

“local authority” means the local authority responsible for the payment of allowances under paragraph 8 of Schedule 3 to the Act;

“member” includes any person appointed in accordance with the provisions of Schedule 3 to the Act to serve as a member of a children's panel or a Children's Panel Advisory Committee, and any person who has made application or has been suggested for appointment as a member of a children's panel and has been required to incur expenses under arrangements made by a Children's Panel Advisory Committee in pursuance of their duty under paragraph 5(a) or (b) of Schedule 3 to the Act or by the Secretary of State or a local authority in pursuance of their powers to arrange training under paragraphs 6 and 7 of the said Schedule 3.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) In these regulations unless the context otherwise requires references to any enactment or regulation shall be construed as references to that enactment or regulation as amended by any subsequent enactment or regulation or to any enactment or regulation substituted for that enactment or regulation.

*Allowances*

3. The rates of travelling, subsistence and financial loss allowances payable to a member in respect of expenditure necessarily incurred by him shall be the rates set out in Schedules 1, 2 and 3 to these regulations respectively.

(a) 1968 c. 49.

(b) 1889 c. 63.

4. A member who claims payment of any of the said allowances shall complete and submit to the local authority an application in the form set out in Schedule 4 to these regulations or in a form substantially to the like effect.

5. A local authority shall keep a record of every payment made by it under these regulations, showing the amount and nature of the payment and the name of the member to whom it was paid.

*William Ross,*  
One of Her Majesty's Principal  
Secretaries of State.

St. Andrew's House,  
Edinburgh.  
13th November 1969.

### Regulation 3

#### SCHEDULE 1

##### RATES OF TRAVELLING ALLOWANCE

1. The rate for travel by public service shall not exceed the amount of the ordinary, or any available cheap, fare, and where more than one class of fare is available the rate shall be determined, in the case of travel by ship, by reference to first class fares, and in any other case by reference to second class fares, unless the local authority determines, either generally or specially, that first class fares shall be substituted:

Provided that the said rate may be increased by supplementary allowances not exceeding expenditure actually incurred—

- (a) on Pullman car or similar supplements, reservation of seats, and deposit or portorage of luggage; and
- (b) on sleeping accommodation engaged by a member for an overnight journey, subject, however, to reduction by one third of any subsistence allowance payable to him for that night.

2. The rate for travel by taxi-cab or cab—

- (a) in cases of urgency or where no public service is reasonably available shall not exceed the amount of the actual fare and any reasonable gratuity paid; and
- (b) in any other case, shall not exceed the amount of the fare for travel by an appropriate public service.

3. The rate for travel by a member's own private motor vehicle—

- (a) in circumstances which in the opinion of the local authority involve a substantial saving in his time or are otherwise reasonable, shall not exceed such rate as may from time to time be prescribed in paragraph 3 of Schedule 1 to the Local Government (Travelling Allowances, etc.) (Scotland) Regulations 1954(a), as amended (b), as the maximum rate for travel by a member's own private motor vehicle where in the opinion of the local authority it is reasonable that he should so travel rather than by public service; and
- (b) in circumstances other than those mentioned in sub-paragraph (a) of this paragraph, shall not exceed the maximum rate prescribed from time to time in the said paragraph 3, as it may be amended, for travel by a member's own private motor vehicle in circumstances other than those mentioned in the said sub-paragraph (a).

4. The rate for travel by a hired motor vehicle other than a taxi-cab or cab shall not exceed the rate which would have been applicable had the vehicle belonged to the member who hired it:

Provided that where the authority so approves, the rate may be increased to an amount not exceeding the actual cost of the hiring.

(a) S.I. 1954/265 (1954 I, p. 1159).

(b) S.I. 1962/1834 (1962 II, p. 2172).

5. The rate for travel by air shall not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in financial loss allowance and subsistence allowance consequent on travel by air:

Provided that, where the local authority resolves, either generally or specially, that the saving in time is so substantial as to justify payment of the fare for travel by air, there may be paid an amount not exceeding—

- (a) the ordinary, or any available cheap, fare for travel by regular air service; or
- (b) where no such service is available or in case of urgency, the fare actually paid by the member.

### Regulation 3

#### SCHEDULE 2

##### RATES OF SUBSISTENCE ALLOWANCE

The rates of subsistence allowance payable to a member shall not exceed such rates, and shall be subject to such conditions, as may from time to time be prescribed in Schedule 2 to the Local Government (Travelling Allowances, etc.) (Scotland) Regulations 1954(a), as amended (b):

Provided that in the application to members of the said Schedule, the proviso to paragraph 2 shall be of no effect.

### Regulation 3

#### SCHEDULE 3

##### RATES OF FINANCIAL LOSS ALLOWANCE

The payment which a member shall be entitled to receive by way of financial loss allowance shall not exceed such payment, and shall be subject to the same conditions, as may from time to time be prescribed in Schedule 3 to the Local Government (Travelling Allowances, etc.) (Scotland) Regulations 1954(c), as amended (d).

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(a) S.I. 1954/265 (1954 I, p. 1159).

(b) The relevant amending instrument is S.I. 1965/196 (1965 I, p. 501).

(c) S.I. 1954/265 (1954 I, p. 1159).

(d) The relevant amending instrument is S.I. 1966/899 (1966 II, p. 2152).

**SCHEDULE 4**

**FORM OF APPLICATION FOR TRAVELLING AND SUBSISTENCE ALLOWANCES**

Date  (1)	Place and time of departure  (2)	Place and time of return  (3)	Description of approved duties  (4)	Mode and class of travel  (5)	No. of miles travelled by private motor vehicle, other than taxi-cab or cab, and rate applicable  (6)	Fares and other authorised payments  (7)	Travelling allowance claimed  (8)	Subsistence allowance claimed  (9)
<b>TOTALS ... ..</b>								
Particulars of amounts received or claimed by way of travelling or subsistence allowance from other authorities or bodies.								
Amounts now claimed ...								

I declare that I have actually and necessarily incurred expenditure on travelling and subsistence for the purpose of enabling me to perform approved duties in relation to membership of....., that I have actually paid the fares and made the other payments, shown above, and that the amounts claimed are strictly in accordance with the rates determined by.....

I declare that the statements above are correct. Except as shown above I have not made, and will not make, any claim under any enactment for travelling or subsistence expenses or allowances in connection with the duties indicated above.

Date..... Signature.....

**FORM OF APPLICATION FOR FINANCIAL LOSS ALLOWANCE**

Date (1)	Place and time of departure (2)	Place and time of return (3)	Description of approved duties (4)	Amount claimed (5)

Particulars of amounts received or claimed by way of financial loss allowance from other authorities or bodies.

Amount now claimed ... ..

I declare that I have actually and necessarily—

- (a) suffered loss of earnings which I should otherwise have made; or
- (b) incurred additional expense, other than expense on account of travelling or subsistence,

for the purpose of enabling me to perform approved duties in relation to membership of.....and that the amount of such loss and expense is not less than the sum claimed.

I declare that the statements above are correct. Except as shown above I have not made, and will not make, any claim under any enactment for financial loss allowance in connection with the duties indicated above.

Date..... Signature.....

**EXPLANATORY NOTE**

*(This Note is not part of the Regulations.)*

These Regulations prescribe, in pursuance of paragraph 8 of Schedule 3 to the Social Work (Scotland) Act 1968, the rates of travelling, subsistence and financial loss allowances payable to members of Children's Panel Advisory Committees and to members and possible members of children's panels.