

1970 No. 107 (S.3)

**LOCAL GOVERNMENT, SCOTLAND**
**The Local Government (Travelling Allowances, etc.) (Scotland)  
Regulations 1970**

<i>Made</i>	- - -	<i>22nd January 1970</i>
<i>Laid before Parliament</i>		<i>4th February 1970</i>
<i>Coming into Operation</i>		<i>6th February 1970</i>

In exercise of the powers conferred on me by sections 113 and 117 as read with section 118 of the Local Government Act 1948(a), and of all other powers enabling me in that behalf, I hereby make the following regulations :—

1.—(1) These regulations may be cited as the Local Government (Travelling Allowances, etc.) (Scotland) Regulations 1970 and shall come into operation on 6th February 1970.

(2) The Local Government (Travelling Allowances, etc.) (Scotland) Regulations 1954(b), the Local Government (Travelling Allowances, etc.) (Scotland) Amendment Regulations 1954(c), 1959(d), 1965(e), and the Local Government (Travelling Allowances, etc.) (Scotland) Amendment (No. 2) Regulations 1962(f) are hereby revoked.

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

“the Act” means the Local Government Act 1948 ;

“body” means any body to which Part VI of the Act applies for the time being ; and

“public service” means any service provided for travel by the public by railway, ship, vessel, omnibus, trolley vehicle or tramway.

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

3. The rates to be determined by bodies for the payment of travelling allowances and subsistence allowances shall not exceed the maximum rates mentioned, and shall be subject to the provisions contained, in Schedules 1 and 2 to these regulations respectively.

4. Every member of a body who desires to claim any payment by way of travelling allowance and subsistence allowance shall complete and submit to that body an application in the form set out in Schedule 3 to these regulations or in a form substantially to the like effect.

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(a) 1948 c. 26.

(c) S.I. 1954/400 (1954 I, p. 1165).

(e) S.I. 1965/196 (1965 I, p. 501).

(g) 1889 c. 63.

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

(d) S.I. 1959/1282 (1959 I, p. 1615).

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

5. Every body shall, so far as is in its opinion practicable, make arrangements for the issue to its members of tickets, or of vouchers, warrants or similar documents for exchange by such members for tickets, to cover journeys in respect of which payments by way of travelling allowance would otherwise fall to be made.

6.—(1) Every body shall keep records of all payments to members made by it under Part VI of the Act, indicating the amounts paid to each member and the heads under which they were paid, and such records shall be open to inspection at all reasonable hours by any local government elector for the area of the body.

(2) For the purposes of this regulation expenditure incurred in the issue to a member of any ticket or other document under regulation 5 shall be deemed to have been paid to that member.

7.—(1) Where a person necessarily incurs expenditure on travelling or subsistence in respect of the performance by him in any one period of twenty-four hours of approved duties as a member of more than one body, he shall be entitled to receive and there shall be payable by the bodies concerned, in respect of the performance of those duties, such payments by way of travelling allowance and subsistence allowance as will, under either of those heads, be equal in the aggregate to the payment to which he would have been entitled under that head had all the said duties been performed by him as a member of one only of these bodies.

(2) Where in any one period of twenty-four hours a person becomes entitled in respect of the performance of any duties to receive payments by way of, or in the nature of, travelling allowance or subsistence allowance both under Part VI of the Act and under any other enactment, the amount which he shall be entitled to receive under either of those enactments in respect of either of the heads aforementioned shall be reduced by any amount received by him in respect of that head under the other of those enactments, and any claim for any such payment as aforesaid shall contain particulars of any amount so received.

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

St. Andrew's House,  
Edinburgh.

22nd January 1970.

#### SCHEDULE 1

##### MAXIMUM RATES OF PAYMENTS BY WAY OF TRAVELLING ALLOWANCE, AND PROVISIONS RELATING THERETO

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 body 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 portage of luggage, and
- (b) on sleeping accommodation engaged by the member for an over-night 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 solo motor cycle, motor scooter, moped or any other vehicle of a similar type, not exceeding a cylinder capacity of 500 c.c., shall not exceed—

- (a) for the use of a vehicle of cylinder capacity of 120 c.c. or less, 2½d. a mile ;
- (b) for the use of a vehicle of cylinder capacity from 121 c.c. to 150 c.c., 3½d. a mile ;
- (c) for the use of a vehicle of cylinder capacity from 151 c.c., to 500 c.c., 4d. a mile.

The rate for travel by a member's own vehicle shall not exceed 4d. a mile unless the vehicle used is of a category other than the above and, in the opinion of the body, it is reasonable that the member should so travel. For travel in these circumstances the rate shall not exceed—

- (d) for the use of a solo motor cycle of cylinder capacity exceeding 500 c.c., a motor cycle with side-car, or a motor car or tri-car of cylinder capacity of 500 c.c. or less, 5¾d. a mile ;
- (e) for the use of a motor car or tri-car of cylinder capacity of—
  - (i) 501 c.c. to 999 c.c., 11¼d. a mile,
  - (ii) 1000 c.c. to 1199 c.c., 1s. 0¼d. a mile,
  - (iii) Over 1199 c.c., 1s. 2¼d. a mile ;

Provided that the above rates may be increased by—

- (i) not more than ½d. a mile for the carriage of each additional person to whom an allowance for travelling would otherwise be payable, on journeys qualifying for the rates of allowances set out in sub-paragraphs (a) to (e) above ;
- (ii) not more than 1d. a mile, subject to a limit of 4d. a mile for four or more passengers, for the carriage of each additional person to whom an allowance for travelling would otherwise be payable, on journeys not qualifying for the rates of allowances set out in sub-paragraphs (a) to (e) above ;
- (iii) not more than the amount of any expenditure incurred on tolls, ferries or parking fees ;
- (iv) in the case of absence overnight from the usual place of residence, not more than 2s. 6d. a night for garaging a car or tri-car, or 1s. 6d. a night for garaging a motor vehicle of any other type.
- (f) for the purpose of this paragraph, cylinder capacity shall be calculated in the manner prescribed by regulation 46 of the Road Vehicles (Registration and Licensing) Regulations 1964(a).

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(a) S.I. 1964/1178 (1964 II, p. 2722).

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 body so approves the rate may be increased to an amount not exceeding the actual cost of the hiring.

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 body 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.

## SCHEDULE 2

### MAXIMUM RATES OF PAYMENTS BY WAY OF SUBSISTENCE ALLOWANCE, AND PROVISIONS RELATING THERETO

1. For an absence, not involving an absence overnight, from the usual place of residence—

- (a) of more than four hours but not more than eight hours, the rate shall not exceed 19s. ;
- (b) of more than eight hours but not more than twelve hours, the rate shall not exceed 35s. ;
- (c) of more than twelve hours but not more than sixteen hours, the rate shall not exceed 50s. ;
- (d) of more than sixteen hours, the rate shall not exceed 59s.

2.—(1) The rate for an absence overnight from the usual place of residence shall not exceed the sum of 110s. ; provided that for such an absence in London or for the purpose of attendance at an annual conference of such associations of bodies to which Part VI of the Act applies as the Secretary of State may for the time being approve for the purpose, the rate may be increased by a supplementary allowance not exceeding 10s.

(2) The rate determined under this paragraph shall be deemed to cover a continuous period of absence of twenty-four hours.

(3) For the purposes of this paragraph London means the City of London and the London boroughs of Camden, Greenwich, Hackney, Hammersmith, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

**SCHEDULE 3**  
**FORM OF APPLICATION FOR TRAVELLING AND SUBSISTENCE ALLOWANCE**

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)
Totals ... ..								
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 as a member 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 of Member.....

## EXPLANATORY NOTE

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

These Regulations replace the provisions of the Local Government (Travelling Allowances, etc.) (Scotland) Regulations which relate to the maximum rates of allowances payable by bodies specified in Part VI of the Local Government Act 1948 to their members who, in the performance of approved duty as defined by section 115 of that Act, incur expenditure on travel by public transport or private vehicle or by way of subsistence expenses.

New maximum rates are prescribed for day and night subsistence allowances for travel by public transport and for mileage allowances for travel by private motor vehicles.

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