

[<sup>F1</sup>SCHEDULE 3B

Regulation 9(1)(i) and 11(1)(k)

AMOUNT TO BE ALLOWED IN RESPECT OF TRAVELLING COSTS

**F1** Sch. 3B inserted (18.4.1995) by [The Child Support and Income Support \(Amendment\) Regulations 1995 \(S.I. 1995/1045\)](#), regs. 1(2), **57**

**Interpretation**

1. In this Schedule—

“day” means, in relation to a person who attends at a work place for one period of work which commences before midnight of one day and concludes the following day, the first of those days;

“journey” means a single journey, and “pair of journeys” means two journeys in opposing directions, between the same two places;

“relevant employment” means an employed earner’s employment in which the relevant person is employed and in the course of which he is required to attend at a work place, and “relevant employer” means the employer of the relevant person in that employment;

“relevant person” means—

(a) in the application of the provisions of this Schedule to regulation 9, the absent parent or the parent with care; and

(b) in the application of the provisions of this Schedule to regulation 11, the absent parent;

[<sup>F2</sup>“straight-line distance” means the straight-line distance measured in kilometres and calculated to 2 decimal places, and, where that distance is not a whole number of kilometres, rounded to the nearest whole number of kilometres, a distance which exceeds a whole number of kilometres by 0.50 of a kilometre being rounded up;]

“travelling costs” means the costs of—

(a) purchasing either fuel or a ticket for the purpose of travel;

(b) contributing to the costs borne by a person other than a relevant employer in providing transport; or

(c) paying another to provide transport,

which are incurred by the relevant person in travelling between the relevant person’s home and his work place, and where he has more than one relevant employment between any of his work places in those employments;

“work place” means the relevant person’s normal place of employment in a relevant employment, and “deemed work place” means a place which has been selected by the [<sup>F3</sup>Secretary of State], pursuant either to paragraph 8(2) or 15(2) for the purpose of calculating the amount to be allowed in respect of the relevant person’s travelling costs.

**F2** Words in Sch. 3B para. 1 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(a)**

**F3** Words in Sch. 3B para. 1 substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

**Changes to legislation:** There are currently no known outstanding effects for the *The Child Support (Maintenance Assessments and Special Cases) Regulations 1992, SCHEDULE 3B. (See end of Document for details)*

### Computation of amount allowable in respect of travelling costs

2. For the purpose of regulation 9 and regulation 11 an amount in respect of the travelling costs of the relevant person shall be determined in accordance with the following provisions of this Schedule if the relevant person—

- (a) has travelling costs; and
- (b) provides the information required to enable the amount of the allowance to be determined.

### Computation in cases where there is one relevant employment and one work place in that employment

3. Subject to paragraphs 21 to 23, where the relevant person has one relevant employment and is normally required to attend at only one work place in the course of that employment the amount to be allowed in respect of travelling costs shall be determined in accordance with paragraphs 4 to 7 below.

4. There shall be calculated or, if this is impracticable, estimated—

- (a) the straight-line distance between the relevant person's home and his work place;
- (b) the number of journeys between the relevant person's home and this work place which he makes during a period comprising a whole number of weeks which appears to the [F4Secretary of State] to be representative of his normal pattern of work, there being disregarded any pair of journeys between his work place and his home and where the first journey is from his work place to his home and where the time which elapses between the start of the first journey and the conclusion of the second is not more than two hours.

**F4** Words in Sch. 3B para. 4(b) substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

5. The results of the calculation or estimate produced by sub-paragraph (a) of paragraph 4 shall be multiplied by the result of the calculation or estimate required by sub-paragraph (b) of that paragraph.

6. The product of the multiplication required by paragraph 5 shall be divided by the number of weeks in the period.

7. Where the result of the division required by paragraph 6 is less than or equal to [F5240], the amount to be allowed in respect of the relevant person's travelling costs shall be nil, and where it is greater than [F5240] the weekly allowance to be made in respect of the relevant person's travelling costs shall be [F66 pence] multiplied by the number by which that number exceeds [F5240].

**F5** Word in Sch. 3B para. 7 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(i)**

**F6** Words in Sch. 3B para. 7 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(ii)**

**F4** Words in Sch. 3B para. 4(b) substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

**F5** Word in Sch. 3B para. 7 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(i)**

**F6** Words in Sch. 3B para. 7 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(ii)**

## Computation in cases where there is more than one work place but only one relevant employment

8.—(1) Subject to sub-paragraph (2) and paragraphs 21 to 23 below, where the relevant person has one relevant employment but attends at more than one work place the amount to be allowed in respect of travelling costs for the purposes of regulations 9 and 11 shall be determined in accordance with paragraphs 9 to [F7 14].

(2) Where it appears that the relevant person works at more than one work place but his pattern of work is not sufficiently regular to enable the calculation of the amounts to be allowed in respect of his travelling costs to be made readily, the [F8 Secretary of State] may—

- (a) select a place which is either one of the relevant person's work places or some other place which is connected with the relevant employment; and
- (b) apply the provisions of paragraphs 4 to 7 above to calculate the amount of the allowance to be made in respect of travelling costs upon the basis that the relevant person makes one journey from his home to the deemed work place and one journey from the deemed work place to home on each day on which he attends at a work place in connection with relevant employment,

and the provision of paragraphs 9 to [F7 14] shall not apply.

(3) For the purposes of sub-paragraph (2)(b) there shall be disregarded any day upon which the relevant person attends at a work place and in order to travel to or from that work place he undertakes a journey in respect of which—

- (a) the travelling costs are borne wholly or in part by the relevant employer; or
- (b) the relevant employer provides transport for any part of the journey for the use of the relevant person,

and where he attends at more than one work place on the same day that day shall be disregarded only if the condition specified in this sub-paragraph is satisfied in respect of all the work places at which he attends on that day,

**F7** Word in Sch. 3B para. 8(1)(2) substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(c)**

**F8** Words in Sch. 3B para. 8(2) substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

9. There shall be calculated, or if that is impracticable, estimated—

- (a) the straight-line distances between the relevant person's home and each work place; and
- (b) the straight-line distances between each of the relevant person's work places, other than those between which he does not ordinarily travel.

10. Subject to paragraph 11, there shall be calculated for each pair of places referred to in paragraph 9 the number of journeys which the relevant person makes between them during a period comprising a whole number of weeks which appears to the [F9 Secretary of State] to be representative of the normal working pattern of the relevant person.

**F9** Words in Sch. 3B para. 10 substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

11. For the purposes of the calculation required by paragraph 10 there shall be disregarded—

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- (a) any pair of journeys between the same work place and the relevant person's home where the first journey is from his work place to his home and the time which elapses between the start of the first journey and the conclusion of the second is not more than two hours; and
- (b) any journey in respect of which—
  - (i) the travelling costs are borne wholly or in part by the relevant employer; or
  - (ii) the relevant employer provides transport for any part of the journey for the use of the relevant person.

12. The result of the calculation of the number of journeys made between each pair of places required by paragraph 10 shall be multiplied by the result of the calculation or estimate of the straight-line distance between them required by paragraph 9.

13. All the products of the multiplications required by paragraph 12 shall be added together and the resulting sum divided by the number of weeks in the period.

14. Where the result of the division required by paragraph 13 is less than or equal to [F10240], the amount to be allowed in respect of travelling costs shall be nil, and where it is greater than [F10240], the weekly allowance to be made in respect of the relevant person's travelling costs shall be [F116 pence] multiplied by the number by which that number exceeds [F10240].

**F10** Word in Sch. 3B para. 14 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(i)**

**F11** Words in Sch. 3B para. 14 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(ii)**

**F7** Word in Sch. 3B para. 8(1)(2) substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(c)**

**F8** Words in Sch. 3B para. 8(2) substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

**F9** Words in Sch. 3B para. 10 substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

**F10** Word in Sch. 3B para. 14 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(i)**

**F11** Words in Sch. 3B para. 14 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(ii)**

### Computation in cases where there is more than one relevant employment

15.—(1) Subject to sub-paragraph (2) and paragraphs 21 to 23, where the relevant person has more than one relevant employment the amount to be allowed in respect of travelling costs for the purposes of regulations 9 and 11 shall be determined in accordance with paragraphs 16 to 20.

(2) Where it appears that in respect of any of his relevant employments, whilst the relevant person works at more than one work place, his pattern or work is not sufficiently regular to enable the calculations of the amount to be allowed in respect of his travelling costs to be made readily, the [F12Secretary of State]—

- (a) may select a place which is either one of the relevant person's work places in that relevant employment or some other place which is connected with that relevant employment;
- (b) may calculate the weekly average distance travelled in the course of his journeys made in connection with the relevant employment upon the basis that—

- (i) the relevant person makes one journey from his home, or from another work place or deemed work place in another relevant employment, to the deemed work place and one journey from the deemed work place to his home, or to another work place or deemed work place in another relevant employment, on each day on which he attends at a work place in connection with the relevant employment in relation to which the deemed work place has been selected, and
  - (ii) the distance he travels between those places is the straight-line distance between them; and
  - (c) shall disregard any journeys made between work places in the relevant employment in respect of which a deemed work place has been selected.
- (3) For the purposes of sub-paragraph (2)(b) there shall be disregarded any day upon which the relevant person attends at a work place and in order to travel to or from that work place he undertakes a journey in respect of which—
- (a) the travelling costs are borne wholly or in part by the relevant employer; or
  - (b) the relevant employer provides transport for any part of the journey for the use of the relevant person,

and where in the course of the particular relevant employment he attends at more than one work place on the same day, that day shall be disregarded only if the condition specified in this paragraph is satisfied in respect of all the work places at which he attends on that day in the course of that employment.

**F12** Words in Sch. 3B para. 15(2) substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

**16.** There shall be calculated, or if that is impracticable, estimated—

- (a) the straight-line distances between the relevant person's home and each work place; and
- (b) the straight-line distances between each of the relevant person's work places, except—
  - (i) those between which he does not ordinarily travel, and
  - (ii) those for which a calculation of the distance from the relevant person's home is not required by virtue of paragraph 15(c).

[<sup>F13</sup>**17.** Subject to paragraph 17A, there shall be calculated, or if that is impracticable estimated, for each pair of places referred to in paragraph 16 between which straight-line distances are required to be calculated or estimated, the number of journeys which the relevant person makes between them during a period comprising a whole number of weeks which appears to the [<sup>F14</sup>Secretary of State] to be representative of the normal working pattern of the relevant person.]

**F13** Sch. 3B paras. 17-17A substituted for Sch. 3B para. 17 (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), **49**

**F14** Words in Sch. 3B para. 17 substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

[<sup>F13</sup>**17A.** For the purposes of the calculation required by paragraph 17, there shall be disregarded—

- (a) any pair of journeys between the same work place and his home where the first journey is from his work place to his home and the time which elapses between the start of the first journey and the conclusion of the second is not more than two hours; and
- (b) any journey in respect of which—

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- (i) the travelling costs are borne wholly or in part by the relevant employer; or
- (ii) the relevant employer provides transport for any part of the journey for the use of the relevant person.]

**F13** Sch. 3B paras. 17-17A substituted for Sch. 3B para. 17 (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), **49**

**18.** The result of the calculation or estimate of the number of journeys made between each pair of places required by paragraph 17 shall be multiplied by the result of the calculation or estimate of the straight-line distance between them required by paragraph 16.

**19.** All the products of the multiplications required by paragraph 18, shall be added together and the resulting sum divided by the number of weeks in the period.

**20.** Where the result of the division required by paragraph 19, plus where appropriate the result of the calculation required by paragraph 15 in respect of a relevant employment in which a deemed work place has been selected, is less than or equal to [<sup>F15</sup>240] the amount to be allowed in respect of travelling costs shall be nil, and where it is greater than [<sup>F15</sup>240], the weekly allowance to be made in respect of the relevant person's travelling costs shall be [<sup>F16</sup>6 pence] multiplied by the number by which that number exceeds [<sup>F15</sup>240].

**F15** Word in Sch. 3B para. 20 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(i)**

**F16** Words in Sch. 3B para. 20 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(ii)**

**F12** Words in Sch. 3B para. 15(2) substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

**F13** Sch. 3B paras. 17-17A substituted for Sch. 3B para. 17 (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), **49**

**F14** Words in Sch. 3B para. 17 substituted (1.6.1999) by [The Social Security Act 1998 \(Commencement No. 7 and Consequential and Transitional Provisions\) Order 1999 \(S.I. 1999/1510\)](#), arts. 3(1), **22**

**F15** Word in Sch. 3B para. 20 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(i)**

**F16** Words in Sch. 3B para. 20 substituted (16.9.2004) by [The Independent Living Fund \(2006\) Order 2007 2004 \(S.I. 2004/2415\)](#), regs. 1(2)(a), **5(4)(b)(ii)**

### **Relevant employments in respect of which no amount is to be allowed**

**21.—(1)** No allowance shall be made in respect of travelling costs in respect of journeys between the relevant person's home and his work place or between his work place and his home in a particular relevant employment if the condition set out in paragraph 22 or 23 is satisfied in respect of that employment.

(2) The condition mentioned in paragraph 22, or as the case may be 23, is satisfied in relation to a case where the relevant person has more than one work place in a relevant employment only where the employer provides assistance of the kind mentioned in that paragraph in respect of all of the work places to or from which the relevant person travels in the course of that employment, but those journeys in respect of which that assistance is provided shall be disregarded in computing the total distance travelled by the relevant person in the course of the relevant employment.

**22.** The conditions is that relevant employer provides transport of any description in connection with the employment which is available to the relevant person for any part of the journey between his home and his work place or between his work place or between his work place and his home.

**23.** The condition is that the relevant employer bears any part of the travelling costs arising from the relevant person travelling between his home and his work place or between his work place and his home in connection with that employment, and for the purposes of this paragraph he does not bear any part of that cost where he does no more than—

- (a) make a payment to the relevant person which would fail to be taken into account in determining the amount of the relevant person's net income;
- (b) make a loan to the relevant person;
- (c) pay to the relevant person an increased amount of remuneration,

to enable the relevant person to meet those costs himself.]

**Changes to legislation:**

There are currently no known outstanding effects for the The Child Support (Maintenance Assessments and Special Cases) Regulations 1992, SCHEDULE 3B.