

Serial Number 1952/63



**THE FEES AND TRAVELLING ALLOWANCES
REGULATIONS 1952**

FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 31st day of
March 1952

Present:

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Fees and Travelling Allowances Act 1951, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Fees and Travelling Allowances Regulations 1952.

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Fees and Travelling Allowances Act 1951:

“Board” means a statutory Board:

“Day” means a period of twenty-four hours commencing at midnight:

Expressions defined in the Act have the meanings so defined.

3. (1) A subsistence allowance shall be payable to a member of a Board in every case where his attendance at a meeting of the Board or of a committee of the Board or, pursuant to a resolution of the Board, in transacting any business of the Board requires him to be absent from his usual place of residence for a continuous period of twenty-four hours or longer or a period involving his leaving from and returning to that place on successive days.

(2) Where a member, for the purpose of attending a meeting of the Board or of a committee of the Board or, pursuant to a resolution of the Board, of transacting any business of the Board is required to be absent from his usual place of residence for a continuous period of less than twenty-four hours, leaving from and returning to that place on the same day, there shall be payable to him by way of allowance his actual reasonable out-of-pocket expenses, but so that the payment (excluding fares and other locomotion expenses) is not greater than he would be entitled to as a subsistence allowance for a period of twenty-four hours.

4. (1) Where a member when travelling by train at night is provided with a sleeping berth, the subsistence allowance shall be reduced by a quarter of one day's allowance.

(2) Where a member when travelling by sea is provided with a breakfast, midday meal, or evening meal or at night is provided with sleeping accommodation, the subsistence allowance shall be reduced by a quarter of one day's allowance for each such occasion.

5. (1) Where a member is entitled to any allowance under regulation 3 hereof there shall be payable to him in addition all fares and other locomotion expenses actually and reasonably incurred in travel, including expenses incurred in the provision of first-class accommodation by railway, ship, motor vehicle, or other public conveyance plying for hire on the route traversed, and ordinary sleeping berths on trains and deck cabins on ships.

(2) Where the journey or any part thereof is served by more than one means of public conveyance, then, whichever means be used, the member shall be entitled only to the locomotion expenses payable for travel by the least expensive of those means of conveyance :

Provided that locomotion expenses in respect of any alternative means of public conveyance may be paid, when by reason of saving of time the total expense to the Board (including cost of transport and any allowance under regulation 3 hereof) does not exceed the total that would have been payable had the least expensive of the alternative means of conveyance been used.

(3) Locomotion expenses actually and reasonably incurred in air travel may be paid where any such travel is undertaken with the prior authority of the Board given by resolution either generally or for a particular case.

6. (1) A mileage allowance shall be payable to a member in any case where no public conveyance is reasonably available for a journey or any stage of a journey in respect of which an allowance under regulation 3 hereof is payable to the member and a private means of conveyance is used :

Provided that where with the approval of the Board given on the ground of exceptional circumstances a private means of conveyance has been used by a member instead of an available public means of conveyance there shall be payable to the member, instead of a mileage allowance, the amount of the fare that would have been incurred for travel by the least expensive means of public conveyance serving the same journey.

(2) The mileage allowance shall be computed in respect of the total length of the shortest practicable route for the journey.

(3) In addition to any mileage allowance payable a member shall be entitled to garage expenses at a rate approved in that behalf by the Minister for every night that the vehicle has to be kept away from the usual place of residence of the member.

7. Where more members than one travel by the same private conveyance, the following provisions shall apply :—

(a) Where the member providing the conveyance is entitled to the amount of the fare that would have been incurred if a public conveyance had been used, that amount shall be increased by a quarter thereof for every member so travelling :

(b) Where the member providing the conveyance is entitled to a mileage allowance the allowance shall be increased at the rate of 1d. a mile for each additional member so travelling.

8. No subsistence allowance, mileage allowance, locomotion expenses, or other allowance or expenses to which these regulations apply shall be paid to any member of a Board in respect of any period or occasion for which the member—

(a) Has received ; or

(b) Being entitled to receive but does not disclaim,—

any sum in the nature of any such allowance or expenses otherwise than as a member of the Board on whose business he has travelled.

9. No payment of a subsistence allowance, a mileage allowance, locomotion expenses, or other allowance or expenses to which these regulations apply shall be made until the member claiming the payment has signed a statement, certified by the Secretary or other responsible officer of the Board concerned, setting out :—

(a) The particulars of the amounts payable to which shall be attached vouchers for every disbursement in excess of 5s. other than disbursements for fares and locomotion expenses in public conveyances :

(b) That the provisions of the Act and of these regulations have been complied with in respect of the amount claimed.

10. Unless otherwise agreed between the Minister and the Board concerned, any remuneration by way of fees shall be paid to members only in respect of time spent at meetings of the Board or of a committee of the Board or in travelling to and from any such meeting or, pursuant to a resolution of the Board, in transacting any business of the Board.

11. The provisions of these regulations, as far as they are applicable and with the necessary modifications, shall apply to members of local authorities in all respects as if a local authority were a Board.

12. The provisions of these regulations shall apply only to travel within New Zealand.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

The regulations set out the circumstances in which subsistence allowances (which are allowances designed to recoup members for their out-of-pocket expenses other than fares), mileage allowances (which are allowances to cover the expense of the use of a private vehicle), and fares are payable to members. The Boards and local authorities to which the regulations apply are specified in the Fees and Travelling Allowances Act 1951, and the provisions of that Act and these regulations will automatically apply to any body which is in the future designated a statutory Board or a local authority for the purposes of the Act.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette* : 3rd day of April 1952.

These regulations are administered in the Treasury Department.