

1960/75



THE MAORI LAND COURT JUDGES' TRAVELLING ALLOWANCES REGULATIONS 1960

H. E. BARROWCLOUGH, Administrator of the Government
ORDER IN COUNCIL

At the Government House at Wellington this 1st day of June 1960

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Maori Affairs Act 1953, His Excellency the Administrator of the Government, 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 Maori Land Court Judges' Travelling Allowances Regulations 1960.

2. (1) Where the duties of a Judge require him to be absent from his headquarters for a continuous period of 24 hours or longer or a period involving his leaving from or returning to his headquarters on successive days, there shall be payable to him a subsistence allowance at such daily rate as the Minister of Finance from time to time approves in that behalf.

(2) For the purposes of this regulation the daily rate shall be computed in respect of each period of 24 hours of absence commencing at the hour of departure from headquarters, and where a subsistence allowance is payable in respect of an absence of part of a day the rate shall be one twenty-fourth of the full daily rate for each hour's absence:

Provided that, in computing a subsistence allowance, a fraction of an hour less than a half shall not be taken into account and a fraction of an hour of a half or more shall be deemed to be a full hour.

(3) Where the absence is for a period of less than 24 hours and the Judge leaves from and returns to his headquarters on the same day, there shall be payable to him, instead of the subsistence allowance referred to in subclause (1) of this regulation, his actual and 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 24 hours.

(4) Where a Judge 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.

(5) Where a Judge when travelling at 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.

3. (1) Where a Judge is entitled to any payment under regulation 2 hereof, there shall be paid to him in addition all fares and other locomotion expenses actually and reasonably incurred in travel, including the provision of first-class accommodation by railway, ship, aircraft, 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 in any such case a Judge is authorised by the Minister of Maori Affairs by a general or particular authority to use a private means of conveyance, there shall be payable to him a milage allowance at such rate as the Minister of Finance from time to time approves in that behalf together with garage expenses at a rate approved in that behalf by the Minister of Finance for every night that the vehicle has to be kept away from the usual place of residence of the Judge.

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

4. Where the duties of the Judge require him to act as a Judge of the Native Appellate Court of the Cook Islands or otherwise require him to be absent from his headquarters and, in the opinion of the Minister of Maori Affairs, the Judge is required to travel in special circumstances, the Minister of Maori Affairs, with the approval of the Minister of Finance, may authorise the payment of travelling allowances and expenses at special rates.

5. No payment shall be made under these regulations until the Judge claiming the payment has completed the appropriate form setting out:

- (a) The particulars of the amounts payable, to which shall be attached vouchers for every disbursement in excess of 7s. 6d. other than disbursements for fares and locomotion expenses in public conveyances;
- (b) The duty on which the Judge was travelling; and
- (c) That the expenses set out in the particulars were actually incurred and that the claim is correct in all respects.

6. Every claim for payment under these regulations shall be signed and certified by the claimant and certified as correct by an employee in the Department of Maori Affairs authorised to certify vouchers.

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.

These regulations provide for the payment of travelling allowances to Judges of the Maori Land Court.

The rates of subsistence allowances (which are allowances designed to recoup the Judges for out-of-pocket expenses other than fares) will be fixed by the Minister of Finance as will be the rates of milage allowances (which are allowances to cover the expense of the use of a private vehicle).

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 2 June 1960.

These regulations are administered in the Department of Maori Affairs.