

**Reference No:** E105/2/80;    **Date:** 05/07/82

### **Circular 11/1982:- Travelling and Subsistence Regulations**

A Dhuine Uasail

I am directed by the Minister for the Public Service to inform you that he has accepted an agreed recommendation made by the General Council under the scheme of conciliation and arbitration for the civil service regarding the revision of the instructions governing the payment of travelling and subsistence allowances (Report 962).

2. A copy of the new instructions is attached. These new instructions should be applied with effect from a current date. Circulars 28/36, 21/47, 6/53, 16/53 and 25/77 are superseded accordingly.

3. Expenditure on travel and subsistence should be strictly appraised and monitored. It is the duty of Heads of Departments to ensure that only essential travel is undertaken and that the number of officers absent on official business is kept to the absolute minimum.

4. Please bring this circular to the notice of all travelling officers in your Department. Any enquiries from Departments about this circular should be made to Room 2.11, Department of the Public Service, Kildare Street, Dublin 2 (Tel. 779601 Ext. 233). Individual claimants should make any enquiries to the Finance or Personnel Units of their own Departments.

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K Murphy

Travelling and Subsistence Instructions Issued with Circular 11/82 dated 5 July 1982

Part I

General Rules

1. Officers employed on official business away from their headquarters and officers assigned to field duties will be paid travelling and subsistence expenses within the rates authorised from time to time by the Minister for the Public Service.

2. Travelling and subsistence allowances are payable only in respect of necessary absence from headquarters. All travelling duties should be planned so as to reduce the total amount of travel to the minimum consistent with efficiency. All official travel should be by the shortest practicable routes and by the cheapest practicable mode of conveyance. Return tickets, contract, season or other cheap tickets should be used wherever a saving in travelling expenses is secured thereby.

3. The subsistence allowance payable is not intended to meet the whole cost of subsistence when absent from home and headquarters and is not intended to be a source of emolument or profit.

4. Expenses under this circular will not be paid to officers travelling to take up duty on first appointment to the public service or to officers travelling after first appointment to take up a new post as a result of an open competition.

Part II - Travelling Expenses

## Use of Own Transport

5 (1) An officer assigned to field duties who is required to use his car will be authorised to do so.

(2) Apart from officers referred to at 5(1) an officer will be authorised to use his own car or motorcycle on official business only in the following circumstances:

(a) where no suitable public transport (i.e., train or bus) is available.

(b) where public transport is available only at equal or greater expense

(c) where the use of public transport would result in the loss of official time which it is necessary to avoid.

6. Where more than one officer is travelling to the same area, arrangements should where feasible, be made to avoid the unnecessary duplication of the use of officers' own cars.

7. An officer who is authorised to use his own transport while travelling on official business will be paid within the appropriate motor mileage rates approved by the Minister for the Public Service. These rates will be fixed by reference to the horse-power as reckoned for registration purposes.

8. If it is necessary for an officer to use his own transport constantly in the performance of his official business, he will be paid a fixed allowance (weekly, monthly or yearly, as appropriate).

9. (1) The following undertaking must be signed by each officer who is authorised to use his own transport on official business:-

"I acknowledge that the authority given to me to use my own motor vehicle on official business is subject to any relevant regulations or conditions in force from time to time and, in particular, to the condition that it is insured, and will continue to be insured, by me for the purpose of the Road Traffic Act 1961. It is at present insured with the \_\_\_\_\_ and I undertake to notify my Department of any change.

I am aware that the State will accept no liability for any loss or damage resulting from the use of my motor vehicle on official business."

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

(2) Officers who are required to pay higher premiums to effect insurance cover for their own cars because they necessarily carry goods or equipment while travelling on official business may be recouped, on the production of the necessary receipts, the extra expenditure involved.

10. The mileage year for purposes of payment of motor mileage rates will reckon from the date on which each officer first uses his private motor car on official business.

## Use of Public Transport

11 Taxis or cars should be hired only when no suitable public transport is available. Vouchers should be supplied with all such claims.

12. In the case of an officer who uses his own car where public transport could have been used, without detriment to the public interest, the amount to be allowed for the officer's own car in respect of mileage allowance must not exceed the cost of public transport (including that of passengers whose travelling expenses would be payable from public funds).

#### Journey from Home and Headquarters

13. Travelling expenses will not be paid in respect of any portion of a journey which covers all or part of an officer's usual route between home and headquarters.

14. Where an officer proceeds on an official journey direct from home or returns home direct, the travelling allowance payable will be calculated by reference to the distance from home or headquarters, whichever is the lesser.

#### Part III - Subsistence Allowances

##### Night Allowance

15. A night allowance is not payable for an absence at any place within 15 miles of an officer's home or headquarters.

16. The night allowance covers a period up to 24 hours from the time of departure as well as any further period not exceeding 5 hours. Subject to paragraph 15, it will be paid for each night necessarily spent away from home or headquarters.

##### Day Allowance

17. A day allowance is not payable for an absence at any place within 5 miles of an officer's home or headquarters.

18. Subject to paragraph 17, a day allowance will be paid in respect of absence from home or headquarters of 5 hours or more. Time spent at headquarters or on journeys from home to headquarters or vice versa will not reckon towards the qualifying period of 5 hours.

19. A night and day allowance will not both be paid in respect of the same period, except in the circumstances described in paragraph 26(b). Where an absence includes one or more nights, a day allowance will be paid only if the last period of 24 hours is exceeded by 5 or more hours.

##### Payment of Allowances

20. Allowances will be paid for continuous absence on detached duty in any one place on the following basis:

- (1) For visits of inspection or inquiry
  - (a) normal rate for first fourteen nights
  - (b) reduced rate for next twenty-one nights
  - (c) detention rate for next twenty-eight nights
  - (d) thereafter the provisions set out in paragraph 21 will apply.
- (2) For temporary transfers
  - (a) normal rate for first fourteen nights
  - (b) reduced rate for next fourteen nights
  - (c) detention rate for next twenty-eight nights
  - (d) thereafter the provisions set out in paragraph 21 will apply.

## Payment when Detention Rate Ceases

21. When detention rate ceases to be paid under paragraph 20(1) or 20(2) the following allowance may be paid, subject to the provision of paragraph 34.

(1) An officer obliged to maintain his household while absent may be paid vouched extra expenses necessarily incurred within a limit of three nights' subsistence a week at the appropriate normal rate.

(2) An officer who is not obliged to maintain a household but who is obliged to retain his former accommodation may be paid vouched extra expenses necessarily incurred within a limit of one night's subsistence a week at the appropriate normal rate.

## Daily Travel Between Normal Headquarters and Temporary Centre

22. The ordinary rate of day allowance is not applicable to temporarily transferred officers who are able to travel daily between their homes and the office to which they are temporarily attached, or in other cases of repeated daily visits to the same place. In such cases, the payment of a day subsistence allowance will depend upon whether the officer is in fact put to substantial extra expense for meals in consequence of his absence from his normal headquarters. In each case where an allowance is justified, a special rate will be fixed.

## Return to Headquarters at Weekends or for Public Holidays

23. Provided that there would be no serious loss of official time in travelling, an officer may return to headquarters at weekends or for public holidays.

24. Travelling expenses necessarily incurred will be paid within the limits set out hereunder. If, however, the officer remains at his place of detached duty he will be paid subsistence in accordance with the appropriate regulations.

- (1) Where public transport is available
  - (a) the cost by public transport or
  - (b) if an officer uses his own car,

The cost at the appropriate reduced motor mileage rate, whichever is the lesser.

- (2) Where public transport is not available

The cost at the appropriate reduced motor mileage rate

- (3) Where an officer returns by means other than public transport or in his own car

The travelling expenses necessarily incurred, limited to an amount not exceeding (i) or (ii) below, whichever is the lesser

(i) the subsistence allowance which he would have been paid had he remained at the place of detached duty

(ii) the travelling expenses to which he would have been entitled under (a) or (b) above, as appropriate.

25. Return to headquarters at weekends (unless it is certified that the officer is required to attend for official purposes), or return on the occasion of a public holiday, will count towards the period of stay at one place for purposes of reduction of subsistence allowance. The nights of the weekends will be reckoned towards the periods after which reduced or lower rates of subsistence under paragraph 20 will apply.

#### Absence on Duty from place of Detached Duty

26 (a) An absence on official duty from a temporary centre for not more than 2 nights plus any nights of the weekend or public holiday will not be regarded as breaking the continuity of stay at that centre for the purpose of reduction of subsistence allowance.

(b) An officer in receipt of detention rate, if absent overnight on official duty from his temporary accommodation and centre, may receive ordinary rates of subsistence allowance for such absence, in lieu of detention rate. If he is absent by day for not less than 5 hours from his temporary accommodation and centre, day allowance may be paid in addition to detention rate.

(c) Payment of the overnight allowance at (b) will be subject to the officer being at least 15 miles from his temporary accommodation and centre. Payment of the day allowance will be subject to the officer being at least 5 miles from his temporary accommodation and centre.

#### Travelling and Subsistence During Leave

27. When leave is taken during a period of detached duty, travelling expenses will be paid in accordance with the provisions of paragraph 24. Subsistence allowance will cease from the date of cessation of duty to the date of resumption of duty.

28. Leave so taken will not be regarded as breaking the continuity of a stay at the temporary centre for purposes of reduction of subsistence allowance. Where, however, the leave exceeds two days it will not be reckoned towards the periods' after which reduced or lower rates of subsistence will be paid under paragraph 20.

29. Where an officer on detached duty goes on leave and a weekend and/or public holiday immediately precedes such period of leave, subsistence allowance will not normally be payable for these nights. Instead, subsistence allowance will be measured by reference to the actual dates of cessation and resumption of duty, and the officer will be regarded as on leave from the actual date of cessation of duty.

#### Travelling Expenses in respect of Recall From Leave

30. Travelling expenses in respect of recall from leave will be paid only on the condition that the officer was not informed of the probability of recall or that the recall could not have been foreseen when he went on leave.

31. Subsistence allowance will not be paid in respect of recall from leave unless the officers usual place of residence at headquarters is not available.

#### Subsistence Allowance During Illness

32. In case of illness during absence at a temporary centre where the officer remains in occupation of his accommodation, the appropriate rate of allowance will be paid provided

- (1) that the officer is certified unfit to travel home or

(2) if he is able to travel, that the period of illness seems likely to be of short duration.

33. If the officer is removed to hospital or other institution a special allowance may be paid, within the rates ordinarily appropriate, sufficient to cover not more than any extra subsistence expense involved due to absence from home or headquarters.

#### Subsistence Allowance After 6 Months

34. In no case may subsistence allowance be paid to an officer continuously for a period longer than six months in one place without special authority from the Department of the Public Service. This authority should be obtained prior to the expiry of the six month period.

#### Class of Allowance

35. The class of subsistence allowance is governed by the officers grade and scale of salary during the period of his absence.

36. An officer who is temporarily substituting for a superior officer is not entitled to a higher class of allowance than that for which he is normally eligible.

37. When it is necessary for a junior officer to stay in the same accommodation as a senior officer who is entitled to a higher class of subsistence, the higher rate will be paid to both officers.

#### Claim Forms

38. All claims for travelling and subsistence allowances should be submitted on the appropriate forms.

#### Travelling Expenses Authorised in Other Circulars

39. The provisions of Circular 5/52 (Attendance of Civil Servants in Court as Witnesses), 21/78 (Third-level courses of education) and 42/78 (Payment of subsistence to officers who are absent from home by reason of their attendance at confined competitions) will continue to apply.