



# Local Government Act 1972

## 1972 CHAPTER 70

### PART VIII

#### FINANCE

##### *Allowances to members of local authorities and other bodies*

#### **174 Travelling allowance and subsistence allowance.**

<sup>F1</sup>(1) Subject to subsections (2) and (3) below, a member of a body to which this section applies shall be entitled to receive payments by way of travelling allowance or subsistence allowance where expenditure on travelling (whether inside or outside the United Kingdom) or, as the case may be, on subsistence is necessarily incurred by him for the purpose of enabling him to perform any approved duty as a member of that body, being payments at rates determined by that body, but not exceeding, in the case of travel [<sup>F2</sup>or subsistence] for the purpose of an approved duty within the United Kingdom, such rates as may be specified by the Secretary of State.

(2) A member of a parish or community council shall not be entitled to any payment under this section in respect of the performance as such a member of an approved duty within the parish or community or, in the case of a parish or community grouped under a common parish or community council, the area of the group.

<sup>F3</sup>(3) .....

#### **Textual Amendments**

**F1** Ss. 173-178 repealed (W.) (30.4.2012) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), s. 178(3), Sch. 3 para. 1(3), **Sch. 4 Pt. F**; S.I. 2012/1187, art. 2(1)(q)(2)(m)

**F2** Words inserted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. **25(1)**

**F3** S. 174(3) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 194, **Sch. 34 Pt. XVI**

*Changes to legislation: Local Government Act 1972, Section 174 is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### **Modifications etc. (not altering text)**

- C1** S. 174 extended by [Education Act 1980 \(c. 20, SIF 41:1\)](#), s. 7(4), **Sch. 2 para. 4**  
 S. 174 extended (1.11.1996) by 1996 c. 56, ss. 423(4), 583(2), **Sch. 33 Pt. I para. 4(a)** (with s. 1(4))  
 S. 174 extended (1.9.1999) by 1998 c. 31, s. 67(2), **Sch. 18 para. 3(1)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- C2** S. 174 modified by S.I. 1991/351, **reg. 23**  
 S. 174 modified (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 11(1)** (with ss. 7(6), 115, 117)  
 S. 174 modified (1.9.1999) by 1998 c. 31, s. 24, **Sch. 4 para. 3(1)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- C3** S. 174 restricted by S.I. 1991/351, **reg. 21**  
 Ss. 173-175 restricted (E.) (1.5.2003) by [The Local Authorities \(Members' Allowances\) \(England\) Regulations 2003 \(S.I. 2003/1021\)](#), **reg. 34(1)(a)(2)**
- C4** S. 174 applied (with modifications) (8.1.1996) by 1995 c. x, ss. 1(3), 44, **Sch. Pt. I**  
 S. 174 applied (temp. from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**  
 S. 174 applied (4.3.1996) by S.I. 1996/263, **reg. 16(4)**  
 S. 174 applied (with modifications) (1.4.1999) by 1998 c. 31, s. 94(5), **Sch. 24 Pt. I para. 5(1)** (with ss. 138(9), 144(6)); S.I. 1999/1016, art. 2(1), **Sch. 1**
- C5** S. 174: power to amend or repeal conferred (1.11.2000 (W.) and 19.2.2001 (E.)) by 2000 c. 22, **s. 100(4)**; S.I. 2000/2948, **art. 2**; S.I. 2001/415, **art. 2(b)**  
 S. 174: power to apply (with modifications) conferred (20.1.2003 for E. and 31.5.2005 for W.) by 1998 c. 31, s. 94(5C) (as substituted by 2002 c. 32, **ss. 50, 216(4)** (with ss. 210(8), 214(4)); S.I. 2002/2952, **art. 2** (with Sch. para. 3(1)(2)); S.I. 2005/1395, **art. 4**, Sch. (with art. 5(3)(a)))  
 S. 174: power to apply (with modifications) conferred (20.1.2003 for E. and 9.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), **ss. 52(6), 216(4)** (with ss. 210(8), 214(4)); S.I. 2002/2952, **art. 2** (with Sch. para. 4); S.I. 2003/2961, **art. 7**, Sch. Pt. IV  
 S. 174: power to apply (with modifications) conferred (20.1.2003 for E. and 31.5.2005 for W.) by 1998 c. 31, s. 95(3B) (as substituted for s. 95(3) by 2002 c. 32, ss. 51, 216(4), **Sch. 4 para. 9** (with ss. 210(8), 214(4)); S.I. 2002/2952, **art. 2** (with Sch. para. 3(3)(4)); S.I. 2005/1395, **art. 4**, Sch. (with art. 5(1)))
- C6** S. 174 excluded (W.) (9.8.2002) by [The Local Authorities \(Allowances for Members of County and County Borough Councils and National Park Authorities\) \(Wales\) Regulations 2002 \(S.I. 2002/1895\)](#), **reg. 20(3)**  
 S. 174 excluded (W.) (1.4.2003) by [The Local Authorities \(Allowances for Members of Community Councils\) \(Wales\) Regulations 2003 \(S.I. 2003/895\)](#), **reg. 15(3)**
- C7** S. 174 disapplied (W.) (29.9.2004) by [The Local Authorities \(Allowances for Members of Fire Authorities\) \(Wales\) Regulations 2004 \(S.I. 2004/2555\)](#), **reg. 20**
- C8** S. 174 extended (temp.) (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), **art. 15(1)**  
 S. 174 extended (temp.) (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), **art. 15(1)**
- C9** Ss. 173-178 applied (1.4.2009) by [The Charter Trustees Regulations 2009 \(S.I. 2009/467\)](#), **reg. 14(2)**
- C10** S. 174(1) applied (with modifications) (E.) (1.4.2008) by [The Education \(Pupil Exclusions and Appeals\) \(Pupil Referral Units\) \(England\) Regulations 2008 \(S.I. 2008/532\)](#), reg. 7, **Sch. para. 5(2)**
- C11** S. 174(1) modified (1.9.1999) by 1998 c. 31, s. 67(2), **Sch. 18 para. 3(2)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**  
 S. 174(1) modified (1.9.1999) by 1998 c. 31, s. 24, **Sch. 4 para. 3(2)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- C12** S. 174(1) applied (with modifications) (1.4.1999) by 1998 c. 31, s. 94(5), **Sch. 24 Pt. I para. 5(2)** (with ss. 138(9), 144(6)); S.I. 1999/1016, art. 2(1), **Sch. 1**  
 S. 174(1) applied (with modifications) (E.) (20.1.2003) by [The Education \(Admissions Appeals Arrangements\) \(England\) Regulations 2002 \(S.I. 2002/2899\)](#), **reg. 7(2)**

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- S. 174(1) applied (with modifications) (E.) (20.1.2003) by [The Education \(Pupil Exclusions and Appeals\) \(Maintained Schools\) \(England\) Regulations 2002 \(S.I. 2002/3178\)](#), reg. 6, **Sch. para. 3(2)**
- S. 174(1) applied (with modifications) (W.) (31.5.2005) by [The Education \(Admission Appeals Arrangements\) \(Wales\) Regulations 2005 \(S.I. 2005/1398\)](#), **reg. 7(2)**
- S. 174(1) applied (W.) (9.1.2004) by [The Education \(Pupil Exclusions and Appeals\)\(Maintained Schools\)\(Wales\) Regulations 2003 \(S.I. 2003/3227\)](#), reg. 7, {Sch. para. 3(2)}
- C13** S. 174(1) applied (with modifications) (E.) (1.2.2012) by [The School Admissions \(Appeals Arrangements\) \(England\) Regulations 2012 \(S.I. 2012/9\)](#), regs. 1(1), **6(2)** (with reg. 2)
- C14** S. 174(1) applied (with modifications) (1.9.2012) by [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012 \(S.I. 2012/1033\)](#), reg. 1(1), **Sch. 1 para. 6(3)** (with reg. 1(2))

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(3B) omitted by [2021 asc 1 Sch. 2 para. 1\(3\)\(c\)](#)
- s. 101(6ZA) inserted by [2023 c. 55 Sch. 12 para. 2](#)
- s. 123(2C) inserted by [2023 c. 55 s. 75](#)
- s. 131(2)(n) and word inserted by [2023 asc 3 Sch. 13 para. 16](#)