

L.N. 129 of 2001

Municipal Services Appeals Board (Witnesses' Allowances) Regulation
(Made by the Chief Executive in Council under section 20 of the
Municipal Services Appeals Board
Ordinance (Cap. 220))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Director of Administration by notice published in the Gazette.

2. Interpretation

In this Regulation, unless the context otherwise requires---
"witness" (證人) means a witness summoned under the Ordinance but does not include a public officer acting in the course of his duties.

3. Application for payment of
witnesses' allowances

(1) Subject to subsection (2), where a witness attends the hearing of an appeal to give evidence (including professional or expert evidence) or to produce documents, the witness may apply---

(a) in writing to the Secretary; or

(b) orally to the Board during the hearing of the appeal,
for payment of an allowance referred to in section 4.

(2) An application under subsection (1) shall be made within 14 days beginning with the day on which the witness attends the hearing of an appeal, and in the case where he attends the hearing in respect of the same appeal for more than one day, the last of those days.

4. Allowances for witnesses

(1) The Board may, upon an application under section 3 or on its own motion, allow in respect of a witness a professional witness allowance, expert witness allowance or loss allowance, as the case may be, not exceeding the professional witness allowance, expert witness allowance or loss allowance that a magistrate may allow under the Criminal Procedure (Witnesses' Allowances) Rules (Cap. 221 sub. leg.) in respect of a witness who attends to give evidence in criminal proceedings.

(2) The expenses of allowances allowed under this Regulation shall be a charge on the general revenue.

5. Allowance to be claimed within 3 months

Any sum allowed under this Regulation shall cease to be payable unless claimed within 3 months from the date on which it was allowed.

CHENG Mei-sze, Maisie

Clerk to the Executive Council

Council Chamber

5 June 2001

Explanatory Note

This Regulation provides for the payment of allowances to witnesses summoned to appear before the Municipal Services Appeals Board to give evidence or to produce documents.