

立法會
Legislative Council

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Tel : 3919 3300

Date : 5 February 2015

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 18 March 2015

Proposed resolution under the Coroners Ordinance

The Chief Secretary for Administration will move, at the Council meeting of 18 March 2015, a proposed resolution under section 54 of the Coroners Ordinance (Cap. 504). The proposed resolution is attached for Members' consideration. The President has directed that it be printed in the terms in which it was handed in on the Agenda of the Council.

2. The speech, in both Chinese and English, which the Chief Secretary for Administration will deliver when moving the proposed resolution is also attached.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

Coroners Ordinance

Resolution

(Under section 54 of the Coroners Ordinance (Cap. 504))

Resolved that the Coroners (Witnesses' Allowances) (Amendment) Rules 2015, made by the Chief Justice on 15 January 2015, be approved.

Coroners (Witnesses' Allowances) (Amendment) Rules 2015

(Made by the Chief Justice under section 54 of the Coroners Ordinance (Cap. 504) subject to the approval of the Legislative Council)

1. Commencement

These Rules come into operation on a day to be appointed by the Chief Justice by notice published in the Gazette.

2. Coroners (Witnesses' Allowances) Rules amended

The Coroners (Witnesses' Allowances) Rules (Cap. 504 sub. leg. E) are amended as set out in rules 3, 4 and 5.

3. Rule 3 amended (allowances for professional witnesses)

(1) Rule 3(1)—

Repeal

“\$2,355”

Substitute

“\$2,415”.

(2) Rule 3(2)—

Repeal

“\$1,175”

Substitute

“\$1,205”.

4. Rule 4 amended (allowances for expert witnesses)

(1) Rule 4(1)—

Repeal

“\$2,355”

Substitute

“\$2,415”.

(2) Rule 4(2)—

Repeal

“\$1,175”

Substitute

“\$1,205”.

5. Rule 5 amended (allowances for loss of remuneration or expenses incurred)

(1) Rule 5(1)—

Repeal

“\$410”

Substitute

“\$445”.

(2) Rule 5(2)—

Repeal

“\$205”

Substitute

“\$220”.



Chief Justice

15th January 2015

Explanatory Note

These Rules amend the Coroners (Witnesses' Allowances) Rules (Cap. 504 sub. leg. E) to increase the maximum rates of allowances that may be paid in respect of each of the following classes of witnesses at inquests under the Coroners Ordinance (Cap. 504)—

- (a) witnesses practising any of the specified professions and attending to give professional evidence;
- (b) expert witnesses attending to give expert evidence;
- (c) witnesses attending to give evidence (other than professional or expert evidence).

(Translation)

**Speech by the Chief Secretary for Administration
at the meeting of the Legislative Council on 18 March 2015**

Coroners Ordinance (Cap. 504)

Coroners (Witnesses' Allowances) (Amendment) Rules 2015

Mr President,

I move that the Second Resolution standing in my name on the Agenda be passed. This motion aims to seek the approval of the Legislative Council for the Coroners (Witnesses' Allowances) (Amendment) Rules 2015 made by the Chief Justice under section 54 of the Coroners Ordinance.

2. At present, the maximum rates of allowances payable to witnesses in coroners' inquests are the same as those for witnesses in criminal proceedings. The adjustment mechanism approved by the Finance Committee of the Legislative Council is also the same as that for the allowances for witnesses under the Criminal Procedure (Witnesses' Allowances) Rules. Following a review conducted in 2014, the Judiciary Administration proposed, and the Secretary for Financial Services and the Treasury approved, to increase the maximum rate of allowance for ordinary witnesses from \$410 to \$445 for each day of attendance and from \$205 to \$220 for not exceeding four hours of attendance. For professional or expert witnesses, the maximum rate of allowance would be increased from \$2,355 to \$2,415 for each day of attendance and from \$1,175 to \$1,205 for not exceeding four hours of attendance.

3. The Coroners (Witnesses' Allowances) (Amendment) Rules 2015 seeks to implement the new rates of allowances. I invite Members to approve the Resolution. Thank you.