

LEGISLATIVE COUNCIL BRIEF

Jury Ordinance (Cap. 3)
Control of Obscene and Indecent Articles Ordinance (Cap. 390)
Criminal Procedure Ordinance (Cap. 221)
Coroners Ordinance (Cap. 504)

ALLOWANCES TO JURORS (AMENDMENT) ORDER 2017

**CONTROL OF OBSCENE AND INDECENT ARTICLES
(AMENDMENT) REGULATION 2017**

**CRIMINAL PROCEDURE (WITNESSES' ALLOWANCES)
(AMENDMENT) RULES 2017**

**CORONERS (WITNESSES' ALLOWANCES)
(AMENDMENT) RULES 2017**

INTRODUCTION

At the meeting of the Executive Council on 7 February 2017, the Council ADVISED and the Chief Executive ORDERED that –

 A (a) the Allowances to Jurors (Amendment) Order 2017 (Amendment Order), at **Annex A**, should be made under section 31 of the Jury Ordinance (Cap. 3) to effect the proposed increase in the rates of allowances for jurors; and

 B (b) the Control of Obscene and Indecent Articles (Amendment) Regulation 2017 (Amendment Regulation), at **Annex B**, should be made under section 46 of the Control of Obscene and Indecent Articles Ordinance (Cap. 390) to effect the proposed increase in the rates of fees payable to adjudicators of the Obscene Articles Tribunal (OAT).

2. On 10 February 2017, the Criminal Procedure Rules Committee¹ (Rules Committee) and the Chief Justice (CJ) respectively made the Criminal Procedure (Witnesses' Allowances) (Amendment) Rules 2017 at C **Annex C** under section 9B of the Criminal Procedure Ordinance (Cap. 221), and the Coroners (Witnesses' Allowances) (Amendment) Rules 2017 at D **Annex D** under section 54 of the Coroners Ordinance (Cap. 504) to increase the rates of allowances for witnesses in criminal proceedings and coroners' inquests respectively. These two sets of Rules (Amendment Rules) are subject to the approval of the Legislative Council (LegCo).

JUSTIFICATIONS

Existing rates of allowances

(i) *Jurors*

3. Section 31(1) of the Jury Ordinance provides that a person who serves as a juror in a criminal or civil case, or any inquest under the Coroners Ordinance, shall be paid an allowance at such rate as the Chief Executive in Council may prescribe. If the CJ or the trial judge so orders, a juror may also be paid an additional allowance not exceeding such rate as the Chief Executive in Council may prescribe (section 31(2) and (3) of the Jury Ordinance). The existing rates of both allowances and maximum additional allowances for jurors are \$725 a day, or part of a day, during which a person serves as a juror and are specified in the Allowances to Jurors Order (Cap. 3A).

(ii) *Witnesses*

4. Section 9B(1) of the Criminal Procedure Ordinance provides that the Rules Committee may, with the approval of the LegCo, make rules providing for the payment of different rates of allowance to different classes of witnesses in criminal proceedings. Accordingly, the Criminal

¹ The Rules Committee is established under section 9 of the Criminal Procedure Ordinance to make rules and orders regulating the practice and procedure under the Ordinance. The Committee is chaired by the Chief Judge of the High Court and comprises, among others, a barrister nominated by the Hong Kong Bar Association and a solicitor nominated by the Law Society of Hong Kong.

Procedure (Witnesses' Allowances) Rules (Cap. 221B) provide that the maximum allowance the court may allow in respect of a professional or an expert witness is \$2,415 for each day of attendance (or \$1,205 for not exceeding four hours of attendance) and that for any other witness (ordinary witness) is \$445 for each day of attendance (or \$220 for not exceeding four hours of attendance).

5. Similarly, section 54(1) of the Coroners Ordinance provides that the CJ may make rules providing for the payment of different rates of allowance to different classes of witnesses in coroners' inquests. The rules are subject to the approval of the LegCo in accordance with section 54(4) of the Coroners Ordinance. At present, the maximum rates of allowances are specified in the Coroners (Witnesses' Allowances) Rules (Cap. 504E) and are the same as those in criminal proceedings as stated in paragraph 4 above.

(iii) Adjudicators

6. The OAT was set up under the Control of Obscene and Indecent Articles Ordinance to determine whether an article is obscene or indecent. Adjudicators are appointed by the CJ to help such classification and determination work. To be eligible for appointment, the person must be ordinarily resident in Hong Kong and have so resided for at least seven years; and be proficient in written English or written Chinese.

7. Section 46 of the Control of Obscene and Indecent Articles Ordinance provides that the Chief Executive in Council may make regulations to provide for, among others, the payment of fees and allowances to adjudicators. The current rates, specified in the Control of Obscene and Indecent Articles Regulations (Cap. 390A), are \$800 for every day on which an adjudicator serves as a member of the OAT for not less than half a day, and \$400 for less than half a day.

Adjustment mechanisms

Allowances for Jurors and Witnesses

8. In approving the rates of allowances for jurors and witnesses on 15 October 1993, the Finance Committee (FC) of the LegCo delegated authority to the then Secretary for the Treasury (now the Secretary for Financial Services and the Treasury (SFST)) to approve future changes in the rates of allowances for jurors and witnesses made in accordance with the movements of the following adjustment indicators on a biennial basis –

- (a) rates for jurors and witnesses (other than professional or expert witnesses) (ordinary witnesses) - to be made in accordance with the movements in the Median Monthly Employment Earnings of Employees (MMEE) in Hong Kong as recorded in the General Household Survey by the Census and Statistics Department; and
- (b) rates for professional and expert witnesses - to be made in accordance with the changes in the mid-point salary of a Medical and Health Officer in Hong Kong as recorded in the Master Pay Scale of the Civil Service Grades, Ranks and Pay Scales.

The FC also noted the intention of the Government to review the rates of allowances biennially.

9. In 2014, the Judiciary Administration (JA) conducted another review. In the light of the review findings, the basis for determining the rates of jurors' allowances has been changed from the overall MMEE (the computation of which is based on the composition of employees aged 15 or above, irrespective of their education level) to a stratified MMEE (to be computed on the basis of the composition of employees which fulfill the requirement of being empanelled as jurors, i.e. aged 21 or above and below 65 with education level of matriculation or above, or equivalent). The ceiling of the amount of additional allowance for jurors, which has been set at the same level as the jurors' allowance, has also been adjusted accordingly.

10. The existing rates of allowances for jurors and witnesses were set in July 2015 based on the biennial review in 2014, taking into account the refinements as set out in paragraph 9 above.

Fees payable to Adjudicators

11. The existing rates for the fees payable to adjudicators were first set in 1987 by reference to the then remuneration of Lay Magistrates². In 2011 and 2012, the JA conducted a review on the basis for determining the rates for the adjudicators. As the adjudicators come from the general public on a voluntary basis and there is no specific requirement on professional expertise and experience, it was considered to be more appropriate to draw reference to the ceiling of remuneration for non-official members of boards and committees determined by the Government in revising the rates instead. The Government had no objection to this. At that time, the rates determined under the new basis were similar to the prescribed rates in the law³. No change to the rates and the related legislation was therefore proposed.

12. At present, the ceiling of remuneration for non-official members of boards and committees is adjusted by the FSTB annually under the delegated authority of FC having regard to the movement of the Consumer Price Index (C)⁴.

13. It is the intention of the JA to tie in the reviews of the rates of fees payable to OAT adjudicators with the biennial reviews on the rates of allowances for jurors and witnesses from now on.

² The title of the Lay Magistrate grade has been changed to Special Magistrate since 1990.

³ When the review was carried out in 2011 and 2012, the ceiling of remuneration for non-official members of boards and committees published by the Government in 2010 was \$785 per attendance, which was comparable to the fee payable to an adjudicator who serves as a member of the OAT for a day at \$800.

⁴ The FC approved in March 1993 a remuneration ceiling per member per attendance payable to non-official members serving on boards and committees set up by the Government, and delegated to SFST (formerly Secretary for the Treasury) the authority to approve future revisions to the ceiling by reference to the movement of the Consumer Price Index (C).

Proposed revisions

Allowances for jurors and witnesses

14. Taking into account the changes in the overall MMEE and stratified MMEE from the third quarter of 2014 to the third quarter of 2016, the mid-point salary changes of a Medical and Health Officer from 1 April 2013 to 1 April 2016, and the need to maintain the real value of the rates of allowances to minimise any financial loss suffered by members of the public serving as jurors or testifying as witnesses in courts, the JA proposed and SFST approved the following increases in the rates of allowances –

Type of Allowances	Existing Rates	Percentage (%) Changes in Respective Adjustment Indicators	Proposed Rates
(a) Allowance for jurors	\$725 a day or part of a day	+14.7%	\$830 a day or part of a day
(b) Maximum additional allowance for jurors	\$725 a day or part of a day	+14.7%	\$830 a day or part of a day
(c) Maximum allowance for ordinary witnesses	\$445 a day	+15.4%	\$515 a day
	\$220 not exceeding four hours	+15.4%	\$255 not exceeding four hours
(d) Maximum allowance for professional and expert witnesses	\$2,415 a day	+14.8%	\$2,770 a day
	\$1,205 not exceeding four hours	+14.8%	\$1,385 not exceeding four hours

Fees payable to adjudicators

15. The latest ceiling remuneration for non-official members announced by the Government in June 2016 is \$955 per attendance. Accordingly, the JA proposed the following increase in the daily rate of fees payable to an adjudicator who serves as a member of the OAT in accordance with the agreed adjustment mechanism stated in paragraph 11 above –

Type of Fees	Existing Daily Fees	% Changes in Remuneration Ceiling	Proposed Daily Fees
Fees payable to adjudicators for serving as OAT members	\$800 for not less than half a day or \$400 for less than half a day	+19.4% (a day) or +20.0% (less than half a day)	\$955 for not less than half a day or \$480 for less than half a day

THE AMENDMENT ORDER, AMENDMENT RULES AND AMENDMENT REGULATION

16. The main provisions of the Amendment Order, Amendment Rules and Amendment Regulation for revising the rates of allowances for jurors and witnesses and fees payable to adjudicators of the OAT are –

(a) *Allowances to Jurors (Amendment) Order 2017*

The rate of allowance and the maximum rate of additional allowance for jurors are to be increased as proposed in paragraph 14 above. The existing section 2 of the Allowances to Jurors Order proposed to be amended is at **Annex E**;

E

(b) *Criminal Procedure (Witnesses' Allowances) (Amendment) Rules 2017*

The maximum rates of allowances for professional witnesses, expert witnesses and ordinary witnesses in criminal cases are to be increased as proposed in paragraph 14 above. The existing

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rules 3, 4 and 5 of the Criminal Procedure (Witnesses' Allowances) Rules proposed to be amended are at **Annex F**;

- (c) *Coroners (Witnesses' Allowances) (Amendment) Rules 2017*

The maximum rates of allowances for professional witnesses, expert witnesses and ordinary witnesses in coroners' inquests are to be increased as proposed in paragraph 14 above. The existing rules 3, 4 and 5 of the Coroners (Witnesses' Allowances) Rules proposed to be amended are at **Annex G**; and

G

- (d) *Control of Obscene and Indecent Articles (Amendment) Regulation 2017*

The daily rate of fees payable to an adjudicator who serves as a member of the OAT for not less than half a day and for less than half a day are to be increased as proposed in paragraph 15 above. The existing Regulation 4 of the Control of Obscene and Indecent Articles Regulations proposed to be amended is at **Annex H**.

H

LEGISLATIVE TIMETABLE

17. The legislative timetable is as follows –

Allowances to Jurors (Amendment) Order 2017
Control of Obscene and Indecent Articles (Amendment)
Regulation 2017

Publication in the Gazette 24 February 2017

Tabling in the LegCo 1 March 2017
(for negative vetting)

Criminal Procedure (Witnesses' Allowances) (Amendment)
Rules 2017
Coroners (Witnesses' Allowances) (Amendment) Rules 2017

Introduction into LegCo 29 March 2017 (tentative)

IMPLICATIONS OF THE PROPOSAL

18. The proposed increases in the rates of allowances for jurors and witnesses and fees payable to adjudicators will entail an additional expenditure of about \$1.12 million per annum. This will be met from within the approved envelope allocation to the Judiciary.

19. The Amendment Order, Amendment Rules and Amendment Regulation are in conformity with the Basic Law, including the provisions concerning human rights, and will not affect the current binding effect of the Jury Ordinance, the Criminal Procedure Ordinance, the Coroners Ordinance and the Control of Obscene and Indecent Articles Ordinance. They have no staffing, economic, sustainability, environmental, family or gender implications.

PUBLIC CONSULTATION

20. On 6 December 2016, the JA issued an information paper to the LegCo Panel on Administration of Justice and Legal Services on the proposed revisions to the rates of allowances for jurors and witnesses and fees payable to adjudicators. The Panel raised no comments on the proposed increases at its meeting on 19 December 2016.

PUBLICITY

21. A press release will be issued and a spokesperson will be available for answering media enquiries.

BACKGROUND

22. The JA conducted a review of the allowances for jurors and witnesses as well as fees payable to OAT adjudicators in 2016. Following the review, the JA proposed and SFST approved the increases in the rates of allowances for jurors and witnesses. The Government also had no objection to the adjustment of fees payable to OAT adjudicators with reference to the agreed adjustment mechanism in paragraph 11 above.

The Amendment Order, Amendment Rules and Amendment Regulation aim to give effect to the proposed increases.

ENQUIRIES

23. Any enquiry on this brief should be directed to Ms Christine Wai, Assistant Director of Administration, at 2810 3946 or Ms Wendy Cheung, Assistant Judiciary Administrator (Development), at 2867 5201.

Administration Wing
Chief Secretary for Administration's Office

Judiciary Administration

22 February 2017

Allowances to Jurors (Amendment) Order 2017

(Made by the Chief Executive in Council under section 31 of the Jury Ordinance (Cap. 3))

1. Commencement

This Order comes into operation on a day to be appointed by the Chief Justice by notice published in the Gazette.

2. Allowances to Jurors Order amended

The Allowances to Jurors Order (Cap. 3 sub. leg. A) is amended as set out in section 3.

3. Section 2 amended (allowances to jurors)

(1) Section 2(1)—

Repeal

“\$725”

Substitute

“\$830”.

(2) Section 2(2)—

Repeal

“\$725”

Substitute

“\$830”.

Clerk to the Executive Council

COUNCIL CHAMBER

2017

Explanatory Note

This Order amends the Allowances to Jurors Order (Cap. 3 sub. leg. A) to increase the rate of allowance and the maximum rate of additional allowance for jurors in criminal or civil cases, or inquests under the Coroners Ordinance (Cap. 504).

Control of Obscene and Indecent Articles (Amendment) Regulation 2017

(Made by the Chief Executive in Council under section 46 of the Control of
Obscene and Indecent Articles Ordinance (Cap. 390))

1. Commencement

This Regulation comes into operation on a day to be appointed by the Chief Justice by notice published in the Gazette.

2. Control of Obscene and Indecent Articles Regulations amended

The Control of Obscene and Indecent Articles Regulations (Cap. 390 sub. leg. A) are amended as set out in section 3.

3. Regulation 4 amended (fees payable to adjudicators)

(1) Regulation 4(a)—

Repeal

“\$800”

Substitute

“\$955”.

(2) Regulation 4(b)—

Repeal

“\$400”

Substitute

“\$480”.

Clerk to the Executive Council

COUNCIL CHAMBER

2017

Explanatory Note

This Regulation amends the Control of Obscene and Indecent Articles Regulations (Cap. 390 sub. leg. A) to increase the fees for adjudicators serving as members of an Obscene Articles Tribunal.

**Criminal Procedure (Witnesses' Allowances)
(Amendment) Rules 2017**

(Made by the Criminal Procedure Rules Committee under section 9B of the
Criminal Procedure Ordinance (Cap. 221) with 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. **Criminal Procedure (Witnesses' Allowances) Rules amended**
The Criminal Procedure (Witnesses' Allowances) Rules (Cap. 221 sub. leg. B) are amended as set out in rules 3, 4 and 5.
3. **Rule 3 amended (allowances for professional witnesses)**
 - (1) Rule 3(1)—
Repeal
"\$2,415"
Substitute
"\$2,770".
 - (2) Rule 3(2)—
Repeal
"\$1,205"
Substitute
"\$1,385".
4. **Rule 4 amended (allowances for expert witnesses)**
 - (1) Rule 4(1)—

- Repeal**
"\$2,415"
- Substitute**
"\$2,770".
- (2) Rule 4(2)—
Repeal
"\$1,205"
Substitute
"\$1,385".
5. **Rule 5 amended (allowances for loss of remuneration or expenses incurred)**
 - (1) Rule 5(1)—
Repeal
"\$445"
Substitute
"\$515".
 - (2) Rule 5(2)—
Repeal
"\$220"
Substitute
"\$255".

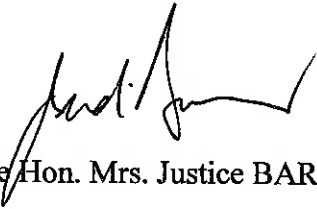
Made this 10th day of February 2017.



The Hon. Mr. Justice CHEUNG
Chief Judge of the High Court



The Hon. Mr. Justice LUNN, V.P.



The Hon. Mrs. Justice BARNES



Andy HO
Senior Deputy Registrar, High Court

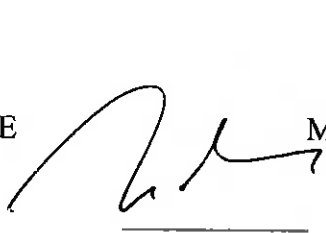


Charlotte DRAYCOTT, S.C.

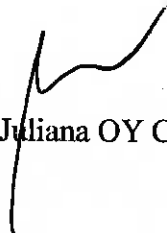


Kenneth NG

Edmond LEE



Ms Juliana OY CHAN



Explanatory Note

These Rules amend the Criminal Procedure (Witnesses' Allowances) Rules (Cap. 221 sub. leg. B) to increase the maximum rates of allowances for the following classes of witnesses in criminal proceedings before any court—

- (a) witnesses practising specific 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) and losing remuneration or incurring expenses as a result.

Coroners (Witnesses' Allowances) (Amendment) Rules 2017

Rule 1

1

Coroners (Witnesses' Allowances) (Amendment) Rules 2017

(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

“\$2,415”

Substitute

“\$2,770”.

(2) Rule 3(2)—

Repeal

“\$1,205”

Substitute

“\$1,385”.

4. Rule 4 amended (allowances for expert witnesses)

(1) Rule 4(1)—

Repeal

Coroners (Witnesses' Allowances) (Amendment) Rules 2017

Rule 5

2

“\$2,415”

Substitute

“\$2,770”.

(2) Rule 4(2)—

Repeal

“\$1,205”

Substitute

“\$1,385”.

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

(1) Rule 5(1)—

Repeal

“\$445”

Substitute

“\$515”.

(2) Rule 5(2)—

Repeal

“\$220”

Substitute

“\$255”.



Chief Justice

10 February 2017

Explanatory Note

These Rules amend the Coroners (Witnesses' Allowances) Rules (Cap. 504 sub. leg. E) to increase the maximum rates of allowances for the following classes of witnesses at inquests under the Coroners Ordinance (Cap. 504)—

- (a) witnesses practising specific 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) and losing remuneration or incurring expenses as a result.

Annex E

Chapter: 3A	Title: Allowances to Jurors Order	Gazette Number:	L.N. 115 of 2015
Section: 2	Heading: Allowances to jurors	Version Date:	17/07/2015

(1) The allowance payable under section 31(1) of the Ordinance to a person who serves as a juror is \$725 in respect of each day during the whole or part of which the person serves as a juror. (L.N. 170 of 2012)

(2) The rate of allowance prescribed for the purpose of section 31(3) of the Ordinance is \$725 in respect of each day during the whole or part of which the person serves as a juror. (L.N. 170 of 2012)

(L.N. 205 of 1978; L.N. 129 of 1984; L.N. 481 of 1993; L.N. 61 of 1996; L.N. 240 of 2008; L.N. 29 of 2015)

Annex F

Chapter: 221B	Title: Criminal Procedure (Witnesses' Allowances) Rules	Gazette Number:	L.N. 116 of 2015
Rule: 3	Heading: Allowances for professional witnesses	Version Date:	17/07/2015

(1) The court may allow in respect of a witness practising as a member of the legal or medical profession or as a dentist or veterinary surgeon for attending to give professional evidence, whether in one or more cases, a professional witness allowance not exceeding \$2415 for each day the witness is necessarily absent from the witness's place of residence or practice to attend for such purpose.

(2) If the witness attends on any day to give evidence, whether in one or more cases, and the period during which the witness is necessarily absent from the witness's place of residence or practice to attend for such purpose does not exceed 4 hours, the professional witness allowance must not exceed \$1205.

(L.N. 474 of 1993; L.N. 49 of 1996; L.N. 258 of 2008; L.N. 182 of 2012; L.N. 59 of 2015)

Chapter: 221B Title: **Criminal Procedure (Witnesses' Allowances) Rules** Gazette Number: L.N. 116 of 2015

Rule: 4 Heading: **Allowances for expert witnesses** Version Date: 17/07/2015

(1) The court may allow in respect of an expert witness for attending to give expert evidence, whether in one or more cases, an expert witness allowance not exceeding \$2415 for each day the witness is necessarily absent from the witness's place of residence, business or employment to attend for such purpose.

(2) If the witness attends on any day to give evidence, whether in one or more cases, and the period during which the witness is necessarily absent from the witness's place of residence, business or employment to attend for such purpose does not exceed 4 hours, the expert witness allowance must not exceed \$1205.

(L.N. 474 of 1993; L.N. 49 of 1996; L.N. 258 of 2008; L.N. 182 of 2012; L.N. 59 of 2015)

Chapter: 221B Title: **Criminal Procedure (Witnesses' Allowances) Rules** Gazette Number: L.N. 116 of 2015

Rule: 5 Heading: **Allowances for loss of remuneration or expenses incurred** Version Date: 17/07/2015

(1) The court may allow in respect of a witness who attends to give evidence (other than professional or expert evidence), whether in one or more cases, and thereby loses remuneration or necessarily incurs expense (other than expense on account of lodging or subsistence) to which the witness would not otherwise have been subject, a loss allowance not exceeding \$445 for each day of attendance, in respect of that loss or expense.

(2) If the period during which the witness is necessarily absent from the witness's place of residence, business or employment to attend to give evidence does not exceed 4 hours, the witness's loss allowance must not exceed \$220.

(L.N. 238 of 1978; L.N. 403 of 1983; L.N. 474 of 1993; L.N. 49 of 1996; L.N. 258 of 2008; L.N. 182 of 2012; L.N. 59 of 2015)

Annex G

Chapter: 504E Title: **Coroners
(Witnesses'
Allowances) Rules** Gazette Number: L.N. 117 of
2015

Rule: 3 Heading: **Allowances for
professional
witnesses** Version Date: 17/07/2015

(1) A coroner may allow in respect of a witness practising as a member of the legal or medical profession or as a dentist or veterinary surgeon for attending to give professional evidence, whether in one or more cases, a professional witness allowance not exceeding \$2415 for each day the witness is necessarily absent from the witness's place of residence or practice to attend for such purpose.

(2) If the witness attends on any day to give evidence, whether in one or more cases, and the period during which the witness is necessarily absent from the witness's place of residence or practice to attend for such purpose does not exceed 4 hours, the professional witness allowance must not exceed \$1205.

(L.N. 260 of 2008; L.N. 184 of 2012; L.N. 61 of 2015)

Chapter: 504E Title: **Coroners (Witnesses' Allowances) Rules** Gazette Number: L.N. 117 of 2015

Rule: 4 Heading: **Allowances for expert witnesses** Version Date: 17/07/2015

(1) A coroner may allow in respect of an expert witness for attending to give expert evidence, whether in one or more cases, an expert witness allowance not exceeding \$2415 for each day the witness is necessarily absent from the witness's place of residence, business or employment to attend for such purpose.

(2) If the witness attends on any day to give evidence, whether in one or more cases, and the period during which the witness is necessarily absent from the witness's place of residence, business or employment to attend for such purpose does not exceed 4 hours, the expert witness allowance must not exceed \$1205.

(L.N. 260 of 2008; L.N. 184 of 2012; L.N. 61 of 2015)

Chapter: 504E Title: **Coroners (Witnesses' Allowances) Rules** Gazette Number: L.N. 117 of 2015

Rule: 5 Heading: **Allowances for loss of remuneration or expenses incurred** Version Date: 17/07/2015

(1) A coroner may allow in respect of a witness who attends to give evidence (other than professional or expert evidence), whether in one or more cases, and thereby loses remuneration or necessarily incurs expense (other than expense on account of lodging or subsistence) to which the witness would not otherwise have been subject, a loss allowance not exceeding \$445 for each day of attendance, in respect of that loss or expense.

(2) If the period during which the witness is necessarily absent from the witness's place of residence, business or employment to attend to give evidence does not exceed 4 hours, the witness's loss allowance must not exceed \$220.

(L.N. 260 of 2008; L.N. 184 of 2012; L.N. 61 of 2015)

Annex H

Chapter: 390A Title: **Control of Obscene and Indecent Articles Regulations** Gazette Number:

Regulation: **4** Heading: **Fees payable to adjudicators** Version 30/06/1997 Date:

An adjudicator shall be paid-

(a) a fee of \$800 for every day on which he serves as a member of the Tribunal for not less than half a day; and

(b) a fee of \$400 for every day on which he serves as a member of the Tribunal for less than half a day.

(Enacted 1987)