

Criminal Procedure Ordinance

Resolution

(Under section 9B of the Criminal Procedure Ordinance (Cap. 221))

Resolved that the Criminal Procedure (Witnesses' Allowances) (Amendment) Rules 2021, made by the Criminal Procedure Rules Committee on 1 April 2021, be approved.

Criminal Procedure (Witnesses' Allowances) (Amendment) Rules 2021

(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 1 August 2021.

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

“\$3,065”

Substitute

“\$3,210”.

(2) Rule 3(2)—

Repeal

“must not exceed \$1,530”

Substitute

“for that day must not exceed \$1,600”.

(3) Rule 3(2), Chinese text—

Repeal

“如該證人不論是在一宗或多於一宗的案件中，於任何一天出庭提供證據”

Substitute

“如上述證人於任何一天出庭提供證據(不論是在一宗或多於一宗的案件中提供)”.

4. Rule 4 amended (allowances for expert witnesses)

(1) Rule 4(1)—

Repeal

“\$3,065”

Substitute

“\$3,210”.

(2) Rule 4(2)—

Repeal

“must not exceed \$1,530”

Substitute

“for that day must not exceed \$1,600”.

(3) Rule 4(2), Chinese text—

Repeal

“如該證人不論是在一宗或多於一宗的案件中，於任何一天出庭提供證據”

Substitute

“如上述證人於任何一天出庭提供證據(不論是在一宗或多於一宗的案件中提供)”.

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

(1) Rule 5(1)—

Repeal

“\$575”

Substitute

“\$615”.

(2) Rule 5(2)—

Repeal

“\$285”

Substitute

“\$305”.

Made this 1st day of April 2021.



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



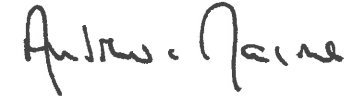
The Hon. Mrs. Justice BARNES



Charlotte DRAYCOTT, S.C.



Jonathan MAN



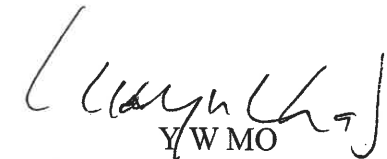
The Hon. Mr. Justice MACRAE, V.P.



Andy HO
Senior Deputy Registrar, High Court



Eric T M CHEUNG



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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—

- (a) witnesses practising specific professions who give professional evidence;
- (b) expert witnesses who give expert evidence;
- (c) witnesses who give evidence (other than professional or expert evidence) and lose remuneration or incur expenses as a result.