1982 No. 437

JURIES

The Jurors' Allowances Regulations (Northern Ireland) 1982

Made . . . . . 14th December 1982

Coming into operation . . . 7th February 1983

The Lord Chancellor, in exercise of the powers conferred on him by section 1(1) of the Juries Act (Northern Ireland) 1953(**a**), as amended by section 122(1) of and Schedule 5 to the Judicature (Northern Ireland) Act 1978(**b**), and with the consent of the Treasury(**c**), hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Jurors' Allowances Regulations (Northern Ireland) 1982 and shall come into operation on 7th February 1983.

Revocation

2. Rule 9 of the Coroners (Salaries, Fees and Expenses) Rules (Northern Ireland) 1971(**d**) and the Jurors (Payments) Order (Northern Ireland) 1978(**e**) are hereby revoked.

Interpretation

3. In these Regulations—

(*a*) "the Act" means the Juries Act (Northern Ireland) 1953;

(*b*) any reference to a juror shall include a reference to a person who, in obedience to a summons to serve on a jury, attends for service as a juror notwithstanding that he is not subsequently sworn and any reference to service as a juror shall be construed accordingly; and

(*c*) the expression "relevant amount" in relation to an allowance referred to in these Regulations means an amount calculated in accordance with rates or scales for the time being determined by the Lord Chancellor for that allowance, with the consent of the Treasury.

Travelling allowances

Public transport

4. Where a juror travels to or from court by railway or other public transport, there may be allowed in respect thereof the fare actually paid:

Provided that, for travel by railway, second-class fare only shall be allowed unless, by reason of age, infirmity or other special circumstances, it is expedient that the juror should have travelled first-class.

Private vehicle

5. Where a juror travels to or from court by private vehicle there may be allowed in respect thereof a sum not exceeding the relevant amount.

(**a**) 1953 c. 19 (N.I.)
(**b**) 1978 c. 23
(**c**) Formerly the Minister for the Civil Service; *see* S.I. 1981/1670
(**d**) S.R. & O. (N.I.) 1971 No. 206; relevant amending legislation is S.R. 1975 No. 214 and S.R. 1978 No. 190
(**e**) S.R. 1978 No. 192

Hired vehicle

6. Where a juror travels to or from court by hired vehicle there may be allowed in respect thereof—

(*a*) in the case of urgency or where no public transport is reasonably available, the amount of the fare and any reasonable gratuity paid; and

(*b*) in any other case, the amount of the fare for travel by the appropriate public services.

Subsistence allowance

7. The subsistence allowance to which a juror is entitled under section 1(1)(*a*) of the Act shall be the relevant amount: Provided that where jurors are provided with a meal at public expense no subsistence allowance shall be payable.

Financial loss allowance

8. Where in consequence of his attendance a juror has incurred—

(i) any expenditure (other than on travelling or subsistence) to which he would not otherwise be subject, or

(ii) any loss of earnings, or benefit under the enactments relating to social security which he would otherwise have received,

the financial allowance, to which he is entitled under section 1(1)(*b*) of the Act, shall be the amount of the said expenditure or loss provided it does not exceed the relevant amount.

Dated 14th December 1982. *Hailsham of St. Marylebone, C.*

We consent to the making of these Regulations.

John Selwyn Gummer

P. L. Brooke

Dated 11th January 1983. Two of the Lords Commissioners of Her Majesty's Treasury

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EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations provide that persons serving as jurors in the High Court, the Crown Court or a Coroner's Court may be paid allowances (for travelling, subsistence and financial loss) calculated in accordance with rates or scales fixed by the Lord Chancellor and approved by the Treasury.

These arrangements replace the previous system (under which jurors received travelling, flat rate and financial loss allowances in accordance with a series of maximum rates) and rule 9 of the Coroners (Salaries, Fees and Expenses) Rules (Northern Ireland) 1971 and the Jurors (Payments) Order (Northern Ireland) 1978 are therefore revoked.