STATUTORY INSTRUMENTS

1962 No. 2148 (S. 102)

JURIES

The Jurors' Allowances (Scotland) Regulations 1962

Made - - - - 25*th September* 1962
Coming into Operation 1*st October* 1962

In exercise of the powers conferred on me by sections 24 (1) and 32 (1) of the Juries Act 1949(a), as amended by the Juries Act 1954(b), I hereby, with the consent of the Treasury, make the following Regulations:

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Jurors' Allowances (Scotland) Regulations 1962 and shall come into operation on 1st October 1962.

(2) The Jurors' Allowances (Scotland) Regulations 1954 to 1960(c) are hereby revoked.

Interpretation

2.—(1) In these Regulations any reference to a juror shall include a reference to a person who, in obedience to a citation to serve on a jury, attends for service as a juror notwithstanding that he is not subsequently impanelled, and any reference to service as a juror shall be construed accordingly.

(2) In these Regulations the expression "the Act" means the Juries Act 1949 as amended by the Juries Act 1954.

(3) The Interpretation Act 1889(d) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Travelling Allowances

3. The travelling allowance to which a juror is entitled under section 24 of the Act shall be in accordance with the rates set out in the Schedule hereto.

Subsistence Allowances

4.—(1) The subsistence allowance to which a juror is entitled under section 24 of the Act shall, in respect of the period of time on any one day during which he is necessarily away from his place of residence or of business or employment for the purpose of serving as a juror, be—

(*a*) where the said period is not more than four hours, five shillings;

(*b*) where the said period is more than four hours but not more than eight hours, ten shillings;

(*c*) where the said period is more than eight hours, twelve shillings and sixpence.

(2) Where a person is necessarily away overnight from his place of residence or of business or employment for the purpose of serving as a juror, the said allowance shall be increased by the amount of any expenses, not being more than forty shillings, reasonably incurred by him for board and lodging for that night.

(a) 12, 13 & 14 Geo. 6. c. 27. (b) 2 & 3 Eliz. 2. c. 41.
(c) S.I. 1954/1650, 1958/1754, 1960/277 (1954 I, p. 1022; 1958 I, p. 1335; 1960 II, p. 1732).
(d) 52 & 53 Vict. c. 63.

(3) Where meals are provided no allowance shall be payable under paragraph (1) of this Regulation, and where board and lodging for the night are provided no allowance shall be payable under paragraph (2) thereof.

Financial Loss Allowance

5. The compensation for loss of earnings which a juror would otherwise have made or additional expense (other than expense on account of travelling or subsistence) to which he would not otherwise have been subject, to which he is entitled under section 24 of the Act, shall be the amount of the said loss or additional expense:

Provided that the amount payable under this Regulation to a person in respect of his services as a juror on any one day shall not exceed—

(*a*) where the period of time over which earnings are lost or additional expense is incurred is not more than four hours, the sum of twenty-five shillings; or

(*b*) where the said period of time is more than four hours, the sum of fifty shillings.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

18th September 1962.

We consent,

Francis F. Pearson,
John Hill,
Two of the Lords Commissioners of Her Majesty's Treasury.

25th September 1962.

SCHEDULE

1. Where a person travels by railway, steamer or other public conveyance, the allowance shall be the amount of the fare actually paid:

Provided that—

(*a*) only the amount of the second class fare shall be allowed for travel by railway;

(*b*) if reduced fare tickets are available for the double journey, only the amount of the reduced fare shall be allowed;

(*c*) if the journey is by steamer and a cabin is occupied, cabin fare shall be allowed.

2.—(1) Where no railway, steamer, or other public conveyance is available, and a person necessarily travels

(*a*) by hired conveyance the allowance shall be the amount actually and reasonably incurred for the hire of the conveyance, so, however, that where two or more persons attend from the same place only one hire shall be allowed unless it appears to the paying officer that it was necessary to hire more than one conveyance;

(*b*) by private motor car, the allowance shall be 7½d. a mile each way;

(*c*) by private motor-cycle the allowance shall be 2½d. a mile each way.

3. Where a public conveyance is available and a person, for private reasons, uses his own motor car or other means of transport, only the fare of such public conveyance shall be allowed.

4. In this Schedule the expression " paying officer " means the person by whom the amount of a payment falls to be ascertained and paid by virtue of section 25 of the Act.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations consolidate, with amendments, the Jurors' Allowances (Scotland) Regulations 1954 to 1960. The effect of the amendments is to increase the maximum financial loss allowance payable to a juror, and the travelling allowance payable to a juror who necessarily travels by private motor vehicle.