1960 No. 228 (L. 1)

The Witnesses' Allowances Regulations, 1960

Made - - - - *8th February,* 1960
Coming into Operation *1st March,* 1960

In pursuance of the powers conferred upon me by section twelve of the Costs in Criminal Cases Act, 1952(a), I hereby make the following Regulations:—

1. For Regulation 5 of the Witnesses' Allowances Regulations, 1955(b), (which provides that there may be allowed in respect of a witness, who attends to give evidence, other than professional or expert evidence, whether in one or more cases, a subsistence allowance not exceeding seven shillings a day, or, where the period during which the witness is necessarily absent from his place of residence, business or employment does not exceed four hours, not exceeding three shillings and sixpence a day) there shall be substituted the following Regulation:—

"5. There may be allowed in respect of a witness who attends to give evidence (other than professional or expert evidence), whether in one or more cases, a subsistence allowance not exceeding—

(*a*) if the period on any one day during which the witness is necessarily absent from his place of residence, business or employment to attend as aforesaid does not exceed four hours, five shillings in respect of that day;

(*b*) if the said period on any one day exceeds four hours but does not exceed eight hours, ten shillings in respect of that day;

(*c*) if the said period on any one day exceeds eight hours, twelve shillings and sixpence in respect of that day.".

2. In Regulation 6 of the said Regulations (which provides that there may be allowed in respect of a witness, who is necessarily absent from his place of residence overnight to attend as a witness, a night allowance not exceeding the expense reasonably incurred for board and lodging for that night or a sum of twenty-seven shillings and sixpence a night, whichever be the less) for the words "twenty-seven shillings and sixpence" there shall be substituted the words "forty shillings".

3. In paragraph (1) of Regulation 7 of the said Regulations (which provides that there may be allowed in respect of a seaman who is detained on shore for the purpose of giving evidence and thereby misses his ship, for the time during which he is, and is likely to be, necessarily detained on shore, an allowance not exceeding, unless for special reason the court allows a greater sum, twenty shillings a day in respect of loss of wages, together

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 48. (b) S.I. 1955/1655 (1955 I, p. 555).

with an allowance in respect of the sum incurred for his maintenance) for the words "twenty shillings" there shall be substituted the words "forty shillings".

4. These Regulations may be cited as the Witnesses' Allowances Regulations, 1960, and shall come into operation on the first day of March, 1960.

R. A. Butler,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.

8th February, 1960.

EXPLANATORY NOTE

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

These Regulations make certain alterations in the allowances payable under the Costs in Criminal Cases Act, 1952, to persons attending to give evidence in those criminal cases to which the Act applies. Regulation 1 provides for an increase in the maximum subsistence allowance payable to ordinary witnesses; Regulation 2 provides for an increase in the maximum night allowance payable to witnesses who are necessarily absent overnight from their place of residence; Regulation 3 raises the maximum allowance in respect of loss of wages payable to a seaman who is detained on shore to give evidence and thereby misses his ship.