

Serial Number 1939/260.



**THE REGULATIONS FOR PAYMENT OF WITNESSES 1931,
AMENDMENT NO. 3.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 29th day of
November, 1939.

Present :

THE HON. W. NASH PRESIDING IN COUNCIL.

In pursuance and exercise of the power and authority conferred on him by the Public Revenues Act, 1926, and the Justices of the Peace Act, 1927, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the regulations hereinafter set out.

REGULATIONS.

1. These regulations may be cited as the Regulations for Payment of Witnesses 1931, Amendment No. 3.

2. These regulations shall be read together with and form part of the Regulations for Payment of Witnesses 1931* (hereinafter called the principal regulations).

3. These regulations shall come into force on the day following notification in the *Gazette* of the making thereof.†

4. Paragraph (1) of Regulation 2 of the principal regulations (as replaced by the amending regulation published in the *Gazette* on the 20th day of October, 1932, at page 2132) and paragraph (2) of the said Regulation 2 are hereby revoked, and the following paragraphs substituted in lieu thereof:—

- (1) To persons giving evidence, strictly as experts, for every day's attendance at Court or necessary absence from home 1 0 0
 And, in addition thereto, for every night's necessary absence from home 0 15 0
- (2) Except as above, to every prosecutor and witness, for attendance at Court or necessary absence from home—
- (a) Where the prosecutor or witness is able to return to his home before 6 p.m., actual expenses, not exceeding per day .. 0 2 6
 And where he is unable to return to his home before 6 p.m., actual expenses, not exceeding per day 0 5 0

* *Gazette*, 19th October, 1931, Vol. III, page 2985.

† See end note.

- (b) Where the prosecutor or witness is necessarily absent from his home over night, in lieu of the amounts provided under (a) above—

	£	s.	d.
Where the total period of absence does not exceed eighteen hours . .	0	12	0
Where the total period exceeds eighteen hours up to twenty-four hours, and for each complete period of twenty-four hours . .	0	15	0
And for any period over and above a complete period of twenty-four hours, for each six hours or part thereof an additional	0	3	0

Provided that where a steamer or rail fare payable to or on behalf of a prosecutor or witness includes the provision of sleeping-accommodation, the period of absence from home shall not be deemed to include steamer or rail travelling-time; but the actual cost of necessary refreshments incurred during the period of such travelling may, if not included in the fare, be paid, but not exceeding 2s. 6d. per meal.

- (c) In addition to the foregoing, where a prosecutor or witness in receipt of wages or other earnings from an employer suffers any loss thereof on account of his necessary absence from his employment through attendance at Court, he shall be allowed, on production of a certificate from his employer as to the rate of his wages or earnings and as to his loss thereof on account of such attendance, an amount equal to his loss of wages or earnings, but not exceeding in any case—

For each full day's absence . .	0	13	4
For each half-day's absence . .	0	6	8

- (d) The Minister of Justice may authorize the foregoing scale to be exceeded in any case where he considers that exceptional circumstances render such a course desirable.

5. The Regulations for Payment of Witnesses 1931, Amendment No. 2,* are hereby revoked.

C. A. JEFFERY,
Clerk of the Executive Council.

* Statutory Regulations 1936-7, Serial number 1937/95, page 367.