



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, OCTOBER 15, 1931.

Published by Authority.

WELLINGTON, MONDAY, OCTOBER 19, 1931.

Regulations for Payment of Witnesses and Interpreters for the Crown in Criminal Cases.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 19th day of October, 1931.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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, and of all other powers and authorities him in this behalf in anywise enabling, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the regulations hereinafter set out.

REGULATIONS.

REGULATION 1.—PRELIMINARY.

(1) THESE regulations may be referred to as "The Regulations for Payment of Witnesses, 1931."

(2) These regulations shall come into force on the 22nd day of October, 1931.

(3) All regulations heretofore in force relating to the payment of witnesses and interpreters for the Crown in criminal cases shall be revoked as on and from the said 22nd day of October, 1931.

REGULATION 2.—SUPREME COURT TRIALS.

In trials of criminal cases in the Supreme Court allowances will be made to prosecutors and witnesses for the Crown as follow:—

(1) To persons giving evidence, strictly as experts,	£	s.	d.
for every day's attendance at Court or necessary absence from usual place of abode	1	0	0
Except as above, to every prosecutor and witness for every day's attendance at Court or necessary absence from usual place of abode		0	9 0
And in addition thereto, for every night's necessary absence from such place of abode	0	3	6

(2) Provided that persons in receipt of salary or wages from the General Government will be entitled to such allowance only if necessarily absent at night from their usual place of abode. If not so absent, such persons will be allowed their actual personal expenses only.

(3) Witnesses residing beyond three miles from the Court-house will also be allowed their fares by public conveyance. Second-class fares will be allowed to mechanics, labourers, and persons of similar rank, and first-class fares to others. Receipts must be furnished for fares over 5s. other than railway fares. When there is no public conveyance such witnesses will be allowed a mileage rate of 9d. per mile one way.

(4) Medical practitioners using their own motor-cars, or motor-cars hired for their personal use, whether public conveyances are available or not, will be allowed mileage at the rate of 1s. per mile one way for every mile between their place of residence and the place at which evidence is required to be given: Provided, however, that in no case will mileage be paid for a greater distance than fifty miles.

(5) In exceptional cases, where the attendance of a prosecutor or a witness necessitates his prolonged absence from his usual place of abode, such prosecutor or witness may be paid such lesser amount than the above allowances as the Minister of Justice may direct.

(6) A person required to give evidence as an expert will be paid such sum as appears to the Under-Secretary of Justice to be fair and reasonable for any analysis, preparation of maps or plans, or for otherwise necessarily preparing himself to give evidence.

In such case a contingency voucher (on forms Ty. 39 and 39A) shall be prepared for such sum as the Registrar of the Supreme Court certifies to be fair and reasonable, and shall be forwarded to the Under-Secretary of Justice, who shall finally fix the amount and pass the voucher for payment.

(7) Except as provided by paragraphs (5) and (6) of this regulation, abstracts on form S.C. 14 in favour of witnesses and interpreters shall be certified by the Crown Solicitor and the Registrar. The amounts so certified shall be paid by the Registrar out of advances made to him for that purpose, except in the case of officers under the control of the Public Service Commissioner attending in their official capacity to give evidence or to produce documents. Such officers will claim their expenses from their own Department in accordance with Public Service Regulation No. 24.