

SCHEDULES

SCHEDULE 2

Section 2.

AMENDMENTS OF ENACTMENTS RELATING TO DETERMINATION OF EXPENSES ETC

PART I

ENGLAND AND WALES

Coroners Act 1887

- 1 In section 25A(1) of the Coroners Act 1887 (jurors' expenses), for the words "the prescribed rates" there shall be substituted " rates determined by the Secretary of State with the consent of the Minister for the Civil Service. ".

Welsh Courts Act 1942

- 2 The following subsections shall be substituted for section 3(1) of the Welsh Courts Act 1942 (provisions as to interpreters):—
- “(1) The Lord Chancellor may make rules as to the provision and employment of interpreters of the Welsh and English languages for the purposes of proceedings before courts in Wales.
- (1A) The interpreters shall be paid, out of the same fund as the expenses of the court are payable, such remuneration in respect of their services as the Lord Chancellor may determine.
- (1B) The Lord Chancellor's powers under subsections (1) and. (1A) above shall be exercised with the consent of the Minister for the Civil Service.”.

Coroners Act 1954

- 3 In section 1(1) of the Coroners Act 1954 for the words "prescribed by rules to be made under this subsection (by statutory instrument) by the Secretary of State" there shall be substituted " determined by the Secretary of State with the consent of the Minister for the Civil Service ".

Costs in Criminal Cases Act 1973

- 4 In section 17 of the Costs in Criminal Cases Act 1973 (power to make regulations about costs)—
- (a) in paragraph (a) of subsection (1), for the words " and the conditions under which such costs may be allowed" there shall be substituted the words " , circumstances in which and conditions under which such costs may be allowed and expenses which may be included in such costs "; and

Status: This is the original version (as it was originally enacted).

(b) the following subsection shall be inserted after that subsection:—

“(1A) Regulations under this section may provide that rates or scales of allowances payable out of central funds under this Act shall be determined by the Secretary of State with the consent of the Minister for the Civil Service.”.

Administration of Justice Act 1973

5 In paragraph 8 of Schedule 1 to the Administration of Justice Act 1973 (travelling, subsistence and financial loss allowances for justices of the peace)—

(a) the following sub-paragraph shall be inserted after sub-paragraph (3):—

“(3A) Allowances payable under this paragraph shall be paid at rates determined by the Secretary of State with the consent of the Minister for the Civil Service.”; and

(b) the following paragraph shall be substituted for sub-paragraph (5)(a):—

“(a) for prescribing the forms to be used and the particulars to be provided for the purpose of claiming payment of allowances;”.

Powers of Criminal Courts Act 1973

6 In paragraph 13(1) of Schedule 3 to the Powers of Criminal Courts Act 1973 (travelling and subsistence allowances for members of probation and after-care committees and case committees)—

(a) in paragraph (a), for the words " the prescribed rates " there shall be substituted the words " rates determined by the Secretary of State with the consent of the Minister for the Civil Service "; and

(b) in paragraph (b), for the words " the prescribed rate " there shall be substituted the words " a rate determined by the Secretary of State with the consent of the Minister for the Civil Service ".

Juries Act 1974

7 In section 19 of the Juries Act 1974 (payment for jury service) for the words " the prescribed rates " there shall be substituted the words " rates determined by the Lord Chancellor with the consent of the Minister for the Civil Service ".

PART II

SCOTLAND

Juries Act 1949

8 In section 24(1) of the Juries Act 1949 (payment in respect of jury service in Scotland) for the words " prescribed scales " there shall be substituted the words " scales determined by the Secretary of State with the consent of the Minister for the Civil Service. ".

District Courts (Scotland) Act 1975

- 9 In section 17 of the District Courts (Scotland) Act 1975—
- (a) the following subsection shall be inserted after subsection (5):—
- “(5A) Allowances payable under this section shall be paid at rates determined by the Secretary of State with the consent of the Minister for the Civil Service.”; and
- (b) the following paragraph shall be substituted for paragraph (7)(a):—
- “(a) for prescribing the forms to be used and the particulars to be provided for the purpose of claiming payment of allowances ;”.

PART III

UNITED KINGDOM

Pensions Appeal Tribunals Act 1943

- 10 The following paragraph shall be inserted after paragraph 7 of the Schedule to the Pensions Appeal Tribunals Act 1943:—
- “7A The Tribunal shall make such payments as the Lord Chancellor with the consent of the Minister for the Civil Service may determine in respect of travelling expenses and allowances to the following persons—
- (a) an appellant attending the hearing of his appeal by the Tribunal;
- (b) in a case where an appellant is unable to attend the hearing for reasons of health, a relative or friend attending the hearing on his behalf;
- (c) in a case where the appellant attends the hearing but requires for reasons of health to be accompanied by an attendant, that attendant.”.
- 11 In its application to Scotland paragraph 10 above shall have effect, in accordance with section 13 of the said Act of 1943, with the substitution, in the paragraph which it inserts in the Schedule to that Act, of a reference to the Lord President of the Court of Session for the reference to the Lord Chancellor.
- 12 In its application to Northern Ireland, paragraph 10 above shall have effect, in accordance with section 14 of the said Act of 1943, with the substitution, in the paragraph which it inserts in the Schedule to that Act, of a reference to the Lord Chief Justice of Northern Ireland for the reference to the Lord Chancellor.