

SCHEDULES

SCHEDULE 7

Section 34

ALLOWANCES, FEES AND EXPENSES

PART 1

ALLOWANCES PAYABLE TO JURORS

- 1 A person who serves as a juror at an inquest is entitled, in respect of attending the inquest, to receive payments by way of allowance—
 - (a) for travelling and subsistence;
 - (b) for financial loss.This is subject to any conditions prescribed by regulations.
- 2 But a person is entitled to receive payments by way of allowance for financial loss only if, in consequence of attending the inquest, the person has—
 - (a) incurred expenses (other than on travelling and subsistence) that he or she would otherwise not have incurred,
 - (b) suffered a loss of earnings that he or she would otherwise not have suffered, or
 - (c) suffered a loss of benefit under the enactments relating to social security that he or she would otherwise not have suffered.
- 3 Regulations may prescribe the rates of any allowances payable under paragraph 1.
- 4 The amount due to a person under paragraph 1 is to be calculated by the senior coroner and paid by (or on behalf of) the senior coroner or, where appropriate, the Coroner for Treasure.

PART 2

ALLOWANCES PAYABLE TO WITNESSES

- 5 (1) Regulations may prescribe the allowances that may be paid by (or on behalf of) senior coroners or the Coroner for Treasure—
 - (a) to witnesses;
 - (b) to persons who produce documents or things by virtue of paragraph 1(1) or (2) of Schedule 5;
 - (c) to persons who provide evidence in the form of a written statement by virtue of paragraph 1(2)(a) of that Schedule.
- (2) In this paragraph “witness” means a person properly attending before a senior coroner to give evidence at an inquest or in connection with the possibility of doing so (whether or not the person actually gives evidence), but does not include—

Status: This is the original version (as it was originally enacted).

- (a) a police officer, or a member of a service police force, attending in his or her capacity as such;
- (b) a full-time officer of an institution to which the [Prison Act 1952 \(c. 52\)](#) applies in his or her capacity as such;
- (c) a prisoner in respect of an occasion on which he or she is conveyed in custody to appear before a senior coroner.

PART 3

MISCELLANEOUS FEES, ALLOWANCES AND EXPENSES

- 6 Regulations may prescribe the fees and allowances that may be paid by (or on behalf of) senior coroners to persons who make examinations under section 14.
- 7 (1) A relevant authority for a coroner area may issue a schedule of the fees, allowances and expenses that may be lawfully paid or incurred by the senior coroner for the area in the performance of the coroner's functions.
- (2) The power under sub-paragraph (1) includes power to amend or revoke any schedule issued.
- (3) In exercising the power under sub-paragraph (1) a relevant authority must have regard to any guidance from time to time issued by the Lord Chancellor.
- (4) A copy of any schedule that is issued or amended must be given to the senior coroner.
- (5) The reference in sub-paragraph (1) to fees and allowances does not include fees or allowances within any of the preceding paragraphs of this Schedule.
- 8 Regulations may prescribe the fees payable to coroners for supplying copies of documents in their custody relating to investigations or inquests under this Part of this Act that they are conducting or have conducted.

PART 4

MEETING OR REIMBURSING EXPENSES

- 9 (1) Regulations may make provision for or in connection with meeting or reimbursing—
- (a) expenses incurred by senior coroners (including expenses incurred under or by virtue of paragraph 4, 5 or 6);
 - (b) expenses incurred by area coroners and assistant coroners;
 - (c) expenses incurred by virtue of Schedule 10 in the conduct of an investigation by the Chief Coroner or the Coroner for Treasure or by a judge, former judge or former coroner.
- (2) The regulations may make provision—
- (a) for accounts or evidence relating to expenses to be provided to relevant authorities;
 - (b) for or in connection with the meeting or reimbursement by relevant authorities of expenses of a description specified in the regulations;
 - (c) for or in connection with appeals relating to decisions with respect to meeting or reimbursing expenses.

This sub-paragraph is not to be read as limiting the power in sub-paragraph (1).

- (3) A reference in this paragraph to meeting or reimbursing expenses incurred by a person (“P”) includes a reference to indemnifying P in respect of—
- (a) costs that P reasonably incurs in or in connection with proceedings in respect of things done or omitted in the exercise (or purported exercise) by P of duties under this Part of this Act;
 - (b) costs that P reasonably incurs in taking steps to dispute claims that might be made in such proceedings;
 - (c) damages awarded against P, or costs ordered to be paid by P, in such proceedings;
 - (d) sums payable by P in connection with a reasonable settlement of such proceedings or of claims that might be made in such proceedings.

PART 5

SUPPLEMENTAL

- 10 For the purposes of paragraph 1, a person who attends for service as a juror in accordance with a summons is to be treated as serving as a juror even if he or she is not sworn.
- 11 (1) The power to make regulations under this Schedule is exercisable by the Lord Chancellor.
- (2) Regulations under this Schedule may be made only if—
- (a) the Lord Chief Justice, or
 - (b) a judicial office holder (as defined in section 109(4) of the [Constitutional Reform Act 2005 \(c. 4\)](#)) nominated for the purposes of this sub-paragraph by the Lord Chief Justice,
- agrees to the making of the regulations.