

1986 No. 1818

CRIMINAL LAW, ENGLAND AND WALES

The Crown Prosecution Service (Witnesses' Allowances)
(Amendment No. 3) Regulations 1986

<i>Made</i> - - - - -	27th October 1986
<i>Laid before Parliament</i>	27th October 1986
<i>Coming into Operation</i>	17th November 1986

The Attorney General, in exercise of the powers conferred upon him by section 14(1)(b) and (2) of the Prosecution of Offences Act 1985(a), and with the approval of the Treasury, hereby makes the following Regulations:—

1. These Regulations may be cited as the Crown Prosecution Service (Witnesses' Allowances) (Amendment No. 3) Regulations 1986 and shall come into operation on 17th November 1986.

2. In these Regulations "the principal Regulations" means the Crown Prosecution Service (Witnesses' Allowances) Regulations 1986(b).

3. In Regulation 9(a) of the principal Regulations (which provides that a member of a police force attending court in his capacity as such is not entitled to allowances or expenses) there shall be inserted after the words "member of a police force" the words "or a special constable appointed under section 16 of the Police Act 1964(c)".

4. In Schedule 1 to the principal Regulations, in Column 3 of the Table, which sets out relevant amounts in relation to allowances payable under those Regulations—

- (a) for the sums of £43.25 and £35.20 in the entry for Regulation 5 (overnight subsistence allowance payable to professional or expert witness who attends to give evidence) there shall be substituted £46.50 and £38.25 respectively;
- (b) for the sums of £1.30, £2.50 and £5.50 in the entry for Regulation 7(1) (day subsistence allowance payable to a witness other than a professional or expert witness who attends to give evidence) there shall be substituted £1.40, £2.65 and £5.85 respectively; and
- (c) for the sums of £48.75 and £40.70 in the entry for Regulation 7(2) (overnight subsistence allowance payable to a witness other than a professional or expert witness who attends to give evidence) there shall be substituted £52.35 and £44.10 respectively.

(a) 1985 c. 23.

(b) 1986/405, amended by S.I. 1986/842 and 1250.

(c) 1964 c. 48.

5. In Schedule 2 to the principal Regulations, which makes provision as to mileage rates etc. in respect of journeys by private motor vehicles—

- (a) in the Table in Part I (standard mileage rate), for the sums of 8p, 12p, 16p and 30.4p there shall be substituted 10.2p, 14.3p, 19.6p and 31.8p respectively; and
- (b) in the Table in Part II (public transport mileage rate), for the sums of 8p, 12p and 13.8p (in both places when it occurs) there shall be substituted 10.2p, 14.3p and 14.5p respectively.

22nd October 1986.
We approve.

Michael Havers,
Her Majesty's Attorney General.

27th October 1986.

T. Garel-Jones,
Michael Neubert,
Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations increase the maximum overnight subsistence allowances payable under Regulation 5 of the Crown Prosecution Service (Witnesses' Allowances) Regulations 1986 to a professional or expert witness or under Regulation 7(2) to any other witness who, at the instance of the Crown Prosecution Service, attends court to give evidence. They also increase the day subsistence allowances to witnesses other than professional or expert witnesses and the mileage rates payable to all categories of witnesses.

Regulation 3 adds special constables appointed under the Police Act 1964 to the list of persons who are excluded from entitlement to allowances or expenses under the Regulations. The list already includes members of police forces.

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