

**CRIMINAL PROCEDURE CODE**  
**(CHAPTER 7)**  
**CRIMINAL PROCEDURE (ALLOWANCE TO**  
**WITNESSES) RULES**

**S 45/56**

**REVISED EDITION 2001**

(1st October 2001)



SUBSIDIARY LEGISLATION

CRIMINAL PROCEDURE (ALLOWANCE TO WITNESSES) RULES

ARRANGEMENT OF RULES

**Rule**

1. Citation.
2. Rates of payment.
3. Certificates.

**FIRST SCHEDULE — RATES OF PAYMENT**

**SECOND SCHEDULE — CERTIFICATE UNDER SECTION 385 OF  
THE CRIMINAL PROCEDURE CODE  
(CHAPTER 7)**

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## SUBSIDIARY LEGISLATION

**Rules under section 384 prescribing rates of payment of expenses of prosecutors and witnesses****CRIMINAL PROCEDURE (ALLOWANCE TO WITNESSES) RULES****Citation.**

1. These Rules may be cited as the Criminal Procedure (Allowance to Witnesses) Rules.

**Rates of payment.**

2. The rates of payments which the Court may order to be paid out of the Treasury to witnesses both for the prosecution and for the defence, or to such of them as the Court think fit, in criminal cases shall be those prescribed in the First Schedule hereto.

**Certificates.**

3. The certificate required by section 385 of the Criminal Procedure Code (Chapter 7), shall be in the form prescribed in the Second Schedule hereto.

**FIRST SCHEDULE****(rule 2)****RATES OF PAYMENT**

Rates of allowances to witnesses payable in Brunei Darussalam in respect of criminal proceedings in —

*(a)* the High Court —

- |      |  |   |
|------|--|---|
| (i)  | Expert witness — for each hour of attendance or part thereof | \$8.50 plus reasonable travelling expenses.   |
| (ii) | Other witnesses  | Such allowance plus reasonable travelling expenses as the Court may think fit, having due regard to the circumstances of the witnesses:<br>Provided that such allowance shall not exceed \$25 per diem. |

[Subsidiary]

(b) Courts of Magistrate's

- (i) Expert witness — for each hour of attendance or part thereof \$8.50 plus reasonable travelling expenses.
- (ii) Other witnesses Such allowance plus reasonable travelling expenses as the Court may think fit, having due regard to the circumstances of the witnesses: Provided that such allowance shall not exceed \$10 per diem.

SECOND SCHEDULE

(rule 3)

CERTIFICATE UNDER SECTION 385 OF THE CRIMINAL PROCEDURE CODE (CHAPTER 7)

I certify that .....  
 attended at the ..... Court to  
 give evidence on ..... for ..... days, and\* (that, in accordance  
 with these Rules, the sum allowable to him at \$ ..... per diem i  
 \$ .....).

I further certify that the following charges made by the said .....  
 ..... in respect of his actual travelling expenses appear to me to  
 be fair and reasonable.

Date this ..... day of ..... 20 .....

.....  
 Magistrate