

**CRIMINAL PROCEDURE CODE
(CHAPTER 7)**

**CRIMINAL PROCEDURE (ALLOWANCE TO
WITNESSES) RULES**

**S 45/1956
2001 Edition**

REVISED EDITION 2021



SUBSIDIARY LEGISLATION

CRIMINAL PROCEDURE (ALLOWANCE TO WITNESSES) RULES

ARRANGEMENT OF RULES

Rule

1. Citation
2. Rates of payment
3. Certificates

SCHEDULE 1 — RATES OF PAYMENT

SCHEDULE 2 — CERTIFICATE UNDER SECTION 385 OF
CRIMINAL PROCEDURE CODE (CHAPTER 7)



SUBSIDIARY LEGISLATION

Rules made 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 thinks fit, in criminal cases shall be those prescribed in Schedule 1.

Certificates

3. The certificate required by section 385 shall be in the form prescribed in Schedule 2.

SCHEDULE 1

(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:
Provided that such allowance
does not exceed \$25 <i>per diem</i> . |

(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
does not exceed \$10 <i>per diem</i> . |

SCHEDULE 2

(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 is \$).

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.

Dated this day of 20

..... Magistrate

* Delete when not applicable

