

# **Criminal Procedure Code (Witnesses' Allowances) Rules**

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## **Legislative History**

CRIMINAL PROCEDURE CODE  
(CHAPTER 68, SECTION 407(1))

CRIMINAL PROCEDURE CODE  
(WITNESSES' ALLOWANCES) RULES

R 1

G.N. No. S 296/1998

REVISED EDITION 2000

(31st January 2000)

[1st July 1998]

**Citation**

1. These Rules may be cited as the Criminal Procedure Code (Witnesses' Allowances) Rules.

**Definitions**

2.—(1) In these Rules, unless the context otherwise requires —

“attendance in court” means the presence of a witness in court during any inquiry or trial held under the provisions of the Code to —

- (a) await his turn to give evidence or to be identified by other witnesses;
- (b) give evidence; or
- (c) in the case of an expert witness, assist counsel when the corresponding expert witness of any other party to the proceedings is giving evidence;

“authorising officer” means the Registrar of the Supreme Court, a District Judge, a Magistrate or the Registrar of the Subordinate Courts, as the case may be;

“earned income” has the same meaning as in section 2(1) of the Income Tax Act (Cap. 134);

“expert” has the same meaning as in section 47 of the Evidence Act (Cap. 97);

“subsistence allowance” means an allowance in respect of food, lodging and other expenses that may have been incurred by a witness resident outside Singapore during the period of his stay in Singapore for the purpose of attending as a witness;

“witness” means a person properly attending in court —

- (a) to give evidence, whether or not he in fact gives evidence; or

(b) to assist counsel in the case of an expert witness.

(2) For the purposes of these Rules, any attendance in court in any one day by a witness —

- (a) for a total period of 3 hours or less, excluding the lunch period, shall be considered as half a day's attendance in court; and
- (b) for a total period of more than 3 hours, excluding the lunch period, shall be considered a full day's attendance in court.

### **Allowance for expert witnesses**

3. An expert witness may be allowed, for his attendance in court and for work done in connection with such attendance, an allowance of one-fiftieth of his monthly earned income for each half day's attendance in court, subject to a maximum allowance of \$350 for each half day's attendance.

### **Allowance for expert written opinions or reports**

4. Where an expert witness has been requested by the court or the deputy public prosecutor or the defence counsel to prepare a written report or opinion, he may also be allowed an allowance, to be fixed by the authorising officer at his discretion, for the work done and the expenses properly incurred in connection with the preparation of the report or opinion, regardless of whether or not the report or opinion is subsequently admitted in evidence.

### **Allowance for other witnesses**

5. A witness, other than an expert witness, may be allowed, for his attendance in court, an allowance of one-fiftieth of his monthly earned income for each half day's attendance in court, subject to a minimum allowance of \$25 and a maximum allowance of \$350 for each half day's attendance.

### **Subsistence allowance**

6.—(1) Where the attendance in court of a witness who resides outside Singapore causes him to be necessarily absent from his place of residence overnight, the witness may be allowed, in addition to any allowance under rule 3 or 5, as the case may be, a subsistence allowance of \$230 in respect of each 24-hour period of such absence.

(2) Unless otherwise approved by the authorising officer, where the witness' period of absence from his place of residence overnight does not exceed 24 hours but exceeds 8 hours, the witness may be allowed, in addition to any allowance under rule 3 or 5, as the case may be, a subsistence allowance of \$115.