STATUTORY INSTRUMENTS

# 2015 No. 1423

# JUSTICES OF THE PEACE, ENGLAND AND WALES

## The Justices' Allowances Regulations 2015

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| *Made - - - -* | *18th June 2015* |
| *Laid before Parliament* | *26th June 2015* |
| *Coming into force - -* | *1st August 2015* |

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by sections 15(8) and 109(4) and (5) of the Courts Act 2003(**1**).

### Citation, commencement and interpretation

**1.**—(1) These Regulations may be cited as the Justices' Allowances Regulations 2015 and come into force on 1st August 2015.

(2) In these Regulations—

"claim" means a claim for a travelling, subsistence or financial loss allowance under section 15 of the Courts Act 2003.

### Requirements applying to lay justices who submit claims

**2.**—(1) A lay justice who wants to submit a claim must submit an Annual Declaration each year in the form set out in Schedule 1 at a time stipulated by the Lord Chancellor.

(2) A lay justice must complete and submit any claim to the Lord Chancellor in the form set out in Schedule 2 and in accordance with the requirements specified in that form.

(3) A lay justice may only submit a claim in a different format from that set out in Schedule 2 if the Lord Chancellor agrees.

(4) A lay justice must make any claim within 1 month of the date on which the expenditure or loss to which the claim relates was incurred.

(**1**) 2003 c. 39. Section 15 has been amended by section 15(1) and paragraphs 308 and 317 of Schedule 4 to the Constitutional Reform Act 2005 (c. 4). Section 109 has been amended by section 15(1) of, and paragraphs 308 and 349 of Schedule 4 to, the Constitutional Reform Act 2005.

### Transitional provision

**3.** These Regulations apply to any claim submitted on or after 1st August 2015.

### Revocations

**4.** The Justices' Allowances Regulations 1976(**2**) and the Justices' Allowances (Amendment) Regulations 1976(**3**) are revoked, except to the extent necessary for the purposes of dealing with any claim submitted in accordance with those Regulations before 1st August 2015.

*Shailesh Vara*
Parliamentary Under Secretary of State
Ministry of Justice

18th June 2015

(**2**) S.I. 1976/117, as amended by S.I. 1976/2118 and S.I. 1985/1383. S.I. 1976/117 was made under the powers contained in Part III of Schedule 1 to the Administration of Justice Act 1973 (c.15), as repealed by Schedule 3 to the Justices of the Peace Act 1979 (c.55), and re-enacted under section 12 of the Justices of the Peace Act 1979. The provisions of section 12 were repealed by Schedule 6 to, and re-enacted by section 10 of, the Justices of the Peace Act 1997 (c.25). Section 10 of the Justices of the Peace Act 1997 was repealed by s.109(3) of and Schedule 10 to, the Courts Act 2003 (c.39) and re-enacted by section 15 of that Act. By virtue of section 17 of the Interpretation Act 1978 (c.30), the 1976 regulations continued to have effect under the enabling powers as re-enacted.

(**3**) S.I. 1976/2118.

SCHEDULE 1 Regulation 2(1)

**Schedule 1**

HM Courts & Tribunals Service

Gwasanaeth Llysoedd a Thribiwnlysoedd EM
HM Courts & Tribunals Service

MAGISTRATES' ANNUAL DECLARATION FORM FOR FY ANNEX B

**1. Personal details**

| | |
|---|---|
| Justices' Expense Account Number | |
| Magistrates Name | |
| Home Address | |
| Home Post Code | |
| Work Address | |
| Work Post Code | |
| Telephone Number | |
| Email Address | |
| Bench | |
| Court Location A | |
| Court Location B | |
| Court Location C | |
| Court Location D | |
| Employment status<br>*Please tick appropriate box(es)* | ☐ Employed full-time<br>☐ Employed part-time : hours per week<br>☐ Self-employed<br>☐ Not employed<br>☐ Carer provision |
| Nature of employment / vocation | |

**2. Financial Loss**

| | |
|---|---|
| I attach the following supporting documentation, in line with the flowchart requirements at Annex A of the policy notes. | ☐ SA302 – tax return from HMRC<br>☐ P60 – tax certificate from employer<br>☐ Payslip – showing deduction for judicial duties<br>☐ Letter from employer – Letter headed<br>☐ Profit & Loss Account / Comprehensive Income Statement<br>☐ Employment Contract terms / Allowance schedules<br>☐ Stand In form – replacement / ad-hoc employee (Annex C)<br>☐ Carer Certificate – (Annex D) |
| I will inform the Magistrates Expenses Team (MET) if my employment circumstances change | |

***Please turn over***

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**Schedule 1**

**3. Mileage and Travel Allowance**

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| The engine capacity of the principle vehicle available for my use on judicial duties is: cc.<br><br>Where more than one vehicle is available, Magistrates' should claim the appropriate rate based on the engine capacity of the vehicle in use on that day. |
| The return home to court A distance, via the most direct route is: miles. |
| The return work to court A distance, via the most direct route is: miles. |
| The return home to court B distance, via the most direct route is: miles. |
| The return work to court B distance, via the most direct route is: miles. |
| The return home to court C distance, via the most direct route is: miles. |
| The return work to court C distance, via the most direct route is: miles. |
| The return home to court D distance, via the most direct route is: miles. |
| The return work to court D distance, via the most direct route is: miles. |
| |
| In signing this form I certify that the information provided herein is true and correct. That I have read and understood the *"Magistrates Expenses Policy"* document and that all subsequent expense claims made are done so legitimately and in accordance with the information provide herein. |

| | |
|---|---|
| Signed (Magistrate): | Date: |

| | |
|---|---|
| **4. HMCTS MET Authorisation** | Approved to claim FLA up to: £ |
| Signed: | Date: |

Please return completed form to:

**MET, HMCTS FINANCE DIRECTORATE**
**MANCHESTER CIVIL JUSTICE CENTRE, LEVEL 1**
**PO BOX 4237**
**1, BRIDGE STREET WEST**
**MANCHESTER**
**M60 1TE**

**DX 724780 MANCHESTER 44**