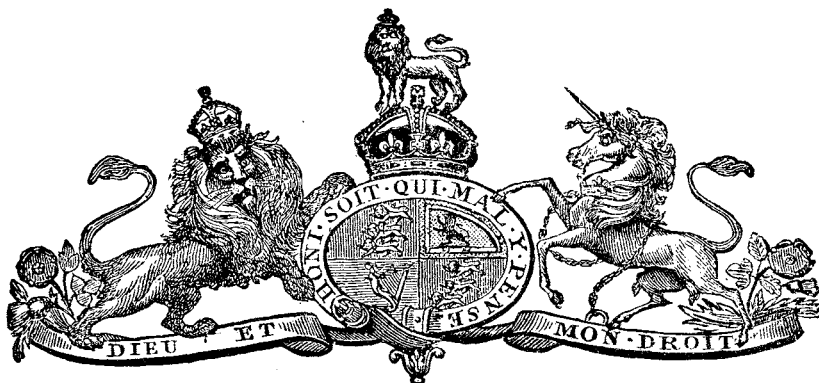


## T A S M A N I A.



1925.

ANNO SEXTO DECIMO

GEORGII V. REGIS.

No. 41.

## ANALYSIS.

1. Short title.
2. Repeal of Sections 65 to 67 inclusive of the Criminal Law Procedure Act, 1873 (37 Vict. No. 6).  
Witnesses' expenses in Supreme Court.  
Amount and payment of witnesses' expenses.  
Expenses for attending before examining justice.

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AN ACT to amend the Criminal Law Procedure Act, 1873. [11 December, 1925.]

A.D.  
1925.  
—

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

**1** This Act may be cited as “The Criminal Law Procedure Act, 1925.” Short title.

**2** Sections Sixty-five to Sixty-seven inclusive of the Criminal Law Procedure Act, 1873, are hereby repealed, and the following sections substituted therefor :—

“**65** Every witness who appears on subpoena to give evidence against any person prosecuted in the Supreme Court for an indictable offence, shall be entitled to receive compensation for the expenses

Repeal of Sections  
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4d.]

*Criminal Law Procedure.*

A.D. 1925.

incurred by him in obedience to such subpœna, and in attending before the examining justice, and otherwise in or about such prosecution, and also for his loss of time therein.

Provided, however, that the court may, if it thinks fit so to do, in any case in which—

- I. The court has reason to believe that such witness has attempted to evade service of the subpœna: or
- II. The conduct or demeanour of such witness before the court has, in the opinion of the court, been unsatisfactory or improper—

order that such witness be deprived of any such expenses or compensation as aforesaid.

Amount and payment of witnesses' expenses.

“**66** The amount of the expenses or compensation to be allowed to any witness under Section Sixty-five of this Act shall be determined by the clerk of the court, or other officer acting in that capacity, in accordance with the rates fixed by regulations in that behalf, to be made by the Supreme Court from time to time, and such amount shall be paid to such witness by the clerk of the court or such other officer as aforesaid.

Expenses for attending before examining justice.

“**67** No expenses or compensation shall be allowed to any witness for attending before the examining justice, unless he produces to the clerk of the court, or such other officer as aforesaid, a certificate from such justice of the amount of expenses incurred by such witness, and of the amount of compensation (if any) which such justice thinks fair and reasonable to be allowed to such witness for his loss of time therein.”