



LESOTHO
Government Gazette
EXTRAORDINARY

Vol. L

Tuesday - 6th September, 2005

No. 92

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LEGAL NOTICE

113 Witnesses' Allowances (Amendment) Regulations, 2005 999

Published by the Authority of His Majesty the King

Price: M1.40

LEGAL NOTICE NO. 113 OF 2005

**Witnesses' Allowances (Amendment)
Regulations, 2005**

Pursuant to section 210(3) of the Criminal Procedure and Evidence Act 1981¹,
I,

MAHAPELA LEBOHANG LEHOHLA

Chief Justice, make the following regulations:

Citation and Commencement

1. These Regulations may be cited as the Witnesses' Allowances (Amendment) Regulations, 2005 and shall come into operation on the date of their publication in the Gazette.

Subsistence and Travel Allowances for Witnesses

2. The Witnesses' Allowances Regulations, 1989² are amended by deleting regulation 3 and substituting the following -

“3. The following allowances shall be paid out of public moneys to any person attending Court as a witness for the Crown -

- (a) a travel allowance at the following rates per diem:
 - (i) any witness attending to give expert evidence or whose station in life, in the opinion of the court, warrants such rate M150.00;
 - (ii) a Principal Chief, a Ward Chief, a Headman or any other Chief M55.00;
 - (iii) a witness who is a child under 12 years of age M25.00;
 - (iv) an adult accompanying a witness who is a child under 12 years of age M40.00;

- (v) all other witnesses M40.00;
- (b) a travel allowance in respect of the most direct route between the witness' residence and the Court, as follows:
- (i) a witness using his own private vehicle -
- | <u>Class of vehicle</u> | <u>Rate per Kilometer</u> |
|-------------------------|---------------------------|
| 1600 cc and above | M3.50 |
| Below 1600 cc | M2.00; |
- (ii) the actual cost of travel by the least expensive mode of public transport reasonably available, on production of a receipt for such cost."

DATED:

**MAHAPELA LEBOHANG LEHOHLA
CHIEF JUSTICE**

NOTE

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1. Act No.7 of 1981
 2. L. N. No. 74 of 1989