

## CHAPTER 119

### WITNESSES AND INTERPRETERS (PAYMENT) 1891-14

This Act came into operation on 11th May, 1891.

#### **Amended by:**

*1949-25*  
*1956-56*

*1964/8*  
*1967/168*

*1970/239*

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#### **Guide to symbols in historical notes:**

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument



## **CHAPTER 119**

### **WITNESSES AND INTERPRETERS (PAYMENT) 1891-14**

#### *Arrangement of Sections*

- 1.** Short title
- 2.** Remuneration to witnesses
- 3.** Fee to be paid to medical witnesses
- 4.** Fees to be paid to veterinary practitioner
- 5.** Fees to be paid to interpreters
- 6.** Payment from moneys voted by Parliament

#### **SCHEDULE**



**BARBADOS**

## WITNESSES AND INTERPRETERS (PAYMENT)

1891-14

*An Act to consolidate and amend the Acts of this Island relating to the payment of witnesses and interpreters.*

[Commencement: 11th May, 1891]

**Short title**

**1.** This Act may be cited as the Witnesses and Interpreters (Payment) Act.

**Remuneration to witnesses**

**2.(1)** When any person is bound over by any magistrate in a recognisance or is subpoenaed by or at the instance of the Director of Public Prosecutions to attend the sitting for trial of criminal cases or in exercise of its jurisdiction in escheat, or to give evidence as a witness in any case before the court touching any case before the court, and such person is in attendance at the court and is ready and willing to give evidence, if required, he shall, whether he be actually called upon to give evidence or not, be entitled to such sums, not exceeding those mentioned in the scale of allowance set out in the Schedule for each day's attendance at such court, as the Judge allows to be paid to him, upon production

of a certificate from the Registrar or the Crown Solicitor, certifying the attendance of such witness for the purpose of giving evidence and the amount so allowed to him.

(2) The Judge may, if he think fit, disallow such sum or any part thereof so certified.

(3) This section shall not apply to medical witnesses.

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[1949-25]

### **Fee to be paid to medical witnesses**

3.(1) Where any legally qualified medical practitioner is called upon to give and shall give professional evidence as a witness in any case requiring medical or surgical testimony to be given in relation thereto before any magistrate and it becomes necessary to bind over such medical practitioner in a recognisance to attend the High Court sitting for the trial of criminal cases and give evidence in his professional capacity touching such case, or where any legally qualified medical practitioner is subpoenaed by or at the instance of the Director of Public Prosecutions to attend the High Court sitting for the trial of criminal cases, and such medical practitioner is in attendance at the court and is ready and willing to give evidence if required, he shall, whether he be actually called upon to give evidence or not, be entitled to a fee of twelve dollars for every such case, and to fifteen dollars per day for attendance at such court, upon the production of a certificate from the Judge certifying the attendance of such medical practitioner for the purpose of giving evidence and the amount to which he is entitled.

(2) No medical practitioner shall be entitled to receive a sum exceeding thirty-six dollars per day for any one day's attendance at such court, whatever may be the number of cases tried on such day in which he may have been bound over as a witness to give medical evidence.

(3) Where any legally qualified medical practitioner is summoned in any case by or on behalf of the Crown for the purpose of giving, and attends and is ready and willing to give, medical evidence before any magistrate in any case requiring

medical or surgical testimony to be given in relation thereto, such medical practitioner, whether he be actually called upon to give evidence or not, shall be entitled to receive for such attendance a fee or remuneration of fifteen dollars per day, irrespective of the number of cases for which he may on any one day be summoned to give evidence, such fee or remuneration to be paid on a certificate of the magistrate certifying the attendance of such medical practitioner for such purpose.

[1956-56]

(4) Any such medical witness who is attached to the Queen Elizabeth Hospital or to any other public hospital, infirmary or other public institution, and by reason of being so attached receives a fixed salary and is debarred from private practice, shall only be entitled, irrespective of the number of cases in which on any one day he may attend to give evidence at the same court, whether at the High Court or a magistrate's court, to receive the sum of three dollars, if the actual residence of such medical witness is not more than two miles from the court at which he may attend; but where the actual residence of such medical witness is more than two miles from such court he shall be entitled to receive fifteen dollars per day for his attendance upon a certificate from the Judge or magistrate, as the case may be, certifying the attendance of such medical witness for the purpose aforesaid.

#### **Fees to be paid to veterinary practitioner**

4.(1) Where any legally qualified veterinary practitioner is subpoenaed in any case by or on behalf of the Crown for the purpose of giving, and attends and is ready and willing to give, professional evidence before the High Court sitting for the trial of criminal cases or any magistrate in any case requiring veterinary testimony to be given in relation thereto, such veterinary practitioner, whether he be actually called upon to give evidence or not, shall be entitled to receive for such attendance a remuneration of fifteen dollars per day, irrespective of the number of cases for which he may on any one day be summoned to give evidence, such remuneration to be paid on a certificate of a Judge or a magistrate, as the case may be, certifying the attendance of such veterinary practitioner for such purpose.

(2) Any such veterinary witness who is attached to any government department or public institution and, by reason of being so attached, receives a fixed salary and is debarred from private practice shall not be entitled to receive any remuneration under subsection (1).

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[1949-25]

### **Fees to be paid to interpreters**

5.(1) Every person who may be required by the Director of Public Prosecutions or by a magistrate or a coroner to attend at the High Court for the trial of criminal cases to interpret in any case and attends the court for that purpose and interprets or is ready at all times during the proceedings, if called upon, to interpret, shall be entitled, whether he be called upon to interpret or not, upon production of the certificate hereinafter mentioned, to receive the sum of three dollars for each day's attendance at the court on which he is so required to attend and attends the court.

(2) Every person who may be required by any magistrate or coroner to interpret in any case in their courts respectively and interprets in the case shall be entitled, upon production of the certificate hereinafter mentioned, to receive the sum of three dollars for every case in which he interprets.

[1949-25]

(3) In every case in which any person is required to attend the High Court for the trial of criminal cases to interpret in any case and attends the court and is in readiness to interpret at the court, if called upon to do so, the Registrar shall give to such person a certificate accordingly, stating the number of days on which the said person attended the court.

(4) In any case in which any person is required by any magistrate to attend to interpret in any case and attends the magistrate's court and interprets, the magistrate shall give to such person a certificate accordingly.

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(5) In any case in which any person is required by any coroner to attend his court to interpret in any case and attends the coroner's court and interprets, the coroner shall give to such person a certificate accordingly.

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[1949-25]

### **Payment from moneys voted by Parliament**

6. All sums of money which may from time to time be required for the purposes of this Act shall be paid from moneys voted for the purpose by Parliament.

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[1967/168]

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**SCHEDULE**

(s. 2 (1))

	For every day of attendance
	\$
Professional person or expert, other than medical practitioner.....	15.00
Merchant, attorney or manager of a mercantile firm or sugar estate, landed proprietor, overseer, clerk, salesman, artisan, mechanic, shopkeeper, chauffeur, lighterman, warehouseporter, tradesman, seamstress, typist, book-keeper, not exceeding.....	10.00
Labourer, groom, porter, domestic servant, or other person of the like class, not exceeding.....	5.00

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 [1970/239]

*[Note: The above may be used as guides in classes not specified.]*