



Justice of the Peace Branch

4 February 2013

To: Justices of the Peace

JP BULLETIN: 1/13

REIMBURSEMENT OF OUT OF POCKET EXPENSES FOR JUSTICES OF THE PEACE PRESIDING IN COURT

Historically, Justices of the Peace (JPs) have only been entitled to claim out of pocket expenses where the JP has travelled to court to perform court duty and the total return trip equated to 100 kilometres or more, for that one court sitting day.

The Honourable Michael Mischin, MLC, Attorney General has approved, effective from 4 February 2013, that the requirement for JPs to have a return journey of 100 km or more before being eligible to claim travel expenses is removed and travel for JPs presiding in court will be reimbursed in accordance with current and future rates prescribed in the *Evidence (Fees, Allowances and Expenses) Regulations 2008 (the regulations)*, with the exception that:

- a) in the metropolitan area, JPs will be paid the public conveyance fare, unless there is no public transport or it is impracticable to do so;
- b) when a public conveyance is not available for travel and no free parking is available, parking fees will be paid when supported by a receipt;
- c) the meal allowance would be paid if the JP court is adjourned for lunch and court resumes after 1pm and the 40kms travel requirement in respect to this allowance, outlined in regulation 7 of the regulations, would not apply; and
- d) the fee for service and reimbursement for loss of income in these regulations do not apply to JPs.

To facilitate the payment to JPs presiding in court forms have been developed and distributed to Department of the Attorney General (DotAG) courts and to police stations and Mining Registrar locations where JPs preside.

- At DotAG court locations payments to court JPs will be made by the Clerk of Courts or person delegated/authorised to pay such reimbursements.
- In non DotAG Court locations, (police stations and mining registrar locations where JP courts are convened) JPs presiding in court will need to complete the attached *travel expenses claim form* together with an Australian Taxation Office *Statement of Supplier*. These forms are lodged through the deputy registrar at the police station or mining registry where the JP presided.

If JPs have any queries in respect to reimbursement of out of pocket expenses incurred whilst presiding in court, please contact your nearest DotAG court.

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