Courts & Tribunals Service

Falkland Islands

WITNESS EXPENSES GUIDANCE & CLAIM FORM

You are entitled to claim repayment of your reasonable expenses and your loss of earnings.

Please note the court will only approve claims for the time you were required to be at court.

To claim expenses, please complete **Part 1** of the form.

If you wish to claim for loss of earnings, you will need to complete **Part 2** of the form. If you are employed, you and your employer must complete **Part 2A**. If you are self-employed you must complete **Part 2B** and provide documentation to show how much you have lost.

Before you complete the form, please read the guidance notes below carefully.

Guidance Notes

You can claim for:

Part 1 Expenses

Travel costs

The rate is £0.40p per mile for travel by private motor vehicle. You cannot claim taxi fares. If you travelled on FIGAS or the ferry, you can claim your fares but you must send your receipts.

Food and drink

- ◊ Please note this is only likely to be approved if it was reasonable for you to incur this cost and receipts should be provided.
- ◊ If you are required to be at court for less than 5 hrs in a day, you may claim an allowance of £5.00 per day.
- ◊ If you are required to be at court for more than 5 hrs in a day, you may claim an allowance of £15.00 per day.

Accommodation

You must get prior permission from the Court to claim for accommodation costs and these will only be allowed if you live beyond a reasonable commuting distance from the court. Only basic bed and breakfast rate will be paid. You will have to provide receipts to show you paid for the accommodation.

Carer expenses

You can claim for the cost of paying someone to care for your child or a dependent adult while you were a witness. You must explain why you are normally the care giver and you must send a receipt from the person you paid to be the carer.

Part 2: Loss of earnings

2A: Employed

You can only claim if your employer has not paid you while you were at court as a witness and is not going to pay you. Your employer must confirm your loss of earnings for the time you were a witness. The maximum you can claim is £80 per day, if you are kept away from work for more than 4 hours. If you are kept away from work for less than 4 hours, the maximum you can claim is £40 per day for up to 10 days. The rate increases to £120 per day for the eleventh and any subsequent days. Even if you would normally have earned more than this, the Court does not have power to make any exceptions to the maximum.

2B: Self-employed

If you were unable to earn during the time you were a witness, you can claim loss of earnings but you must provide documentation as evidence of your loss. These are examples of documents you could send as evidence:

- ◊ a copy of your business accounts; or
- ◊ a certificate from your accountant; or
- ◊ a letter and receipt from a person you paid to look after your business while you were a witness.

The maximum daily rate you can claim is the same if you are employed (see above) or self-employed. Even if you would have usually earned more than this, the Court does not have power to make any exceptions to the maximum.

When you have completed the form, please email to enquiries@courts.gov.fk or post to

Courts and Tribunal Service
Town Hall,
Stanley.

If you are claiming fares, accommodation costs, care allowance or loss of earnings, don't forget to enclose your receipts or other documents. We won't be able to deal with your claim until we have all the information. We shall want to make payment direct into your bank account so please make sure you complete the bank details at the end of the form.

If you have difficulty in completing the form, please contact us and we will try to help.
Telephone: 27271 or email enquiries@courts.gov.fk

Claim Form

Personal details

Name of witness

Dates of attendance

Address

Email:

Part 1: Expenses

Travel

☐	By private vehicle	☐ miles at 40p per mile =	£ 0.00
☐	Fares		£
			£
			£
			£
		Total travel costs	**£**

Food and Drink

Please provide details below

Total food and drink costs £

Accommodation

Please provide details below

Total accommodation costs £

Part 1: Expenses continued

Carer

Please provide details below

Total carer costs £

Part 2: Loss of Earnings

2A: Employed

Details of employment:

Employer:

Job title:

☐ My regular pay per week after tax deductions is: **£**

☐ My regular pay per month after tax deductions is: **£**

Hours of work missed due to court attendance:

Employer's certificate

I confirm the above details of employment are correct and certify that due to my employees attendance at court they have incurred a loss of earnings totalling £

Employer's signature	
Employer's name	
Name of business	
Contact email	
Dated	

Part 2: Loss of Earnings continued

2B: Self-Employed

Details of employment:

☐ I am self-employed as

Business/trading name

Because of the time I spent as a witness I was unable to work at my business and therefore make the following claim:

£	per day for	days loss of earnings.

I enclose the following documents in support of my claim:

Please list the documents such as copy of accounts, accountant's certificate, receipt from the person you employed to look after business while you were a witness or, any other documents you send as proof of your loss of earnings.

click here to attach documents to your claim

I claim payment of the expenses and losses set out in this form. The information I have given is true to the best of my knowledge and belief and I understand I may be liable for prosecution under the Crimes Ordinance 2014 for any false or misleading information provided.

Signed: Dated:

Details of bank account to make payment to:

** If payment is to be made outside of the Falkland Islands please provide this additional information.*

Account name	
Account number	
* Bank name & address	
* IBAN	
* BIC/SWIFT	

submit my claim