

<i>Tier</i>	<i>Description</i>	<i>Monetary ceiling (Maximum amount of liability)</i>
2 <i>cont</i>	the Relevant Time of more than \$5 million and up to \$10 million	
3	Participating Members who were at the Relevant Time in a Law Practice that generated a total annual fee income for the financial year immediately preceding the Relevant Time of more than \$10 million	\$10 million

#### 4 Conferral of discretionary authority

4.1 The Law Society WA has discretionary authority, on application by a Participating Member, to specify in relation to a Participating Member, a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to him or her either in all cases or any specified case or class of case.

4.2 If, in exercise of its discretion under clause 4.1 the Law Society of WA has specified a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to a Participating Member, the maximum amount of liability (monetary ceiling) in relation to that Participating Member is that higher maximum amount.

#### 5 Duration

5.1 Subject to section 44A of the Act, the Scheme will remain in force for a period of 5 years from the date of commencement. The date of the Scheme's commencement is 1 July 2014.

#### SCALE OF ALLOWANCES PAID TO WITNESSES

I, Brad Hazzard, Attorney General, have approved the repeal of the scale of allowances to witnesses attending (1) criminal trials at the Supreme Court and the District Court, and (2) Local Courts, Licensing Courts and Coroner's Courts, as published in the *NSW Government Gazette*. In its place, I have approved a fresh scale of allowances, as shown in the attached Schedule. The new rates are to take effect from 1 July 2014.

BRAD HAZZARD, M.P.,  
Attorney General

#### SCHEDULE

Scale of Allowances to:

- (a) All Crown witnesses and witnesses for the defence attending criminal trials at the Supreme Court and District Court of New South Wales (i) where such witnesses have been subpoenaed by the Crown to give evidence, or (ii) where legal aid has been granted, and

- (b) Witnesses requested or subpoenaed by the Director of Public Prosecutions or Police to attend at Local Courts, Licensing or Coroner's Courts in New South Wales.

These allowances apply to: (1) fees, loss of income, salary or wages, (2) meals and (3) transport.

#### Fees, Loss of Income, Salary or Wages

- (a) Ordinary witnesses (being witnesses not specified in (b) below):

Upon furnishing a certificate of loss of income, salary or wages, ordinary witnesses shall be entitled as follows:

- (i) up to 4 hours loss of working time on that day, not exceeding \$50.05 per day  
(ii) more than 4 hours loss of working time on that day, not exceeding \$100.80 per day

- (b) Experts summoned to give expert evidence:

- (i) In respect of the period of absence from home, hospital, place of employment or other place in travelling to and from Court, and attendance at Court:
1. Fee for the first two hours or part thereof \$108.05 per day
  2. Fee thereafter for each additional half-hour or part thereof up to a maximum of \$204.60 per day \$20.70 per half hour
- (ii) IN ADDITION, where evidence is expert evidence, a fee of \$14.00 per case

#### Meal Allowance

All Witnesses:

- (a) For every meal taken while in attendance at or travelling to and from Court where no allowance is payable under (b) below. \*
- (b) the witness resides at such a distance from the Court that he/she cannot travel to and from the Court on the same day
- (i) for each day of 24 hours: \*\*
- (ii) for any additional part of a day (based on the hourly rate applicable under (b) (i): \*\*
- (iii) where the witness is absent from his/her residence overnight but for a period less than 24 hours he/she may be paid as for a full day.

Children aged 5 years and over to be paid meal allowance as in the case of adult witnesses. No meal allowance to be paid to children under the age of 5 years.

#### Cost of Transport

All Witnesses:

To be paid actual cost of fares paid by them in travelling by rail, bus, ferry or other available means of public transport to and from the Court at which they are required to attend.

Witnesses are not to be reimbursed the cost of travel by plane unless prior approval has been given to travel by this method.

If unable to travel by any available public transport, to receive for every kilometre travelled by own vehicle, the rate of: \*\*\*

Kilometrage to be paid in respect of one journey to and from the Court. Where a witness travels otherwise when transit by public transport is available such witness is to be paid only an amount equal to the cost of travelling by means of the available transport. Notwithstanding the foregoing, medical practitioners required to attend Court on successive days to give evidence shall be paid appropriate kilometrage in respect of each day of travel.

\* This rate to vary as prescribed for Lunch in accordance with Clause 29.1.3, Table 1 (Item No. 1), Part B-Monetary Rates to the Crown Employees (Public Service Conditions of Employment) Award 2009. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

\*\* These rates to vary in accordance with the rate prescribed in Clause 26.8.2, Table 1 (Item No. 2), Part B-Monetary Rates to the Crown Employees (Public Service Conditions of Employment) Award 2009. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

\*\*\* This rate to vary in accordance with the Casual rate for private motor vehicles with engine capacity 2601cc and over in accordance with Clause 36.3, Table 1 (Item No. 6), Part B-Monetary Rates to the Crown Employees (Public Service Conditions of Employment) Award 2009. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

**TRANSPORT ADMINISTRATION ACT 1988**  
LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land for  
the Purposes of Transport for NSW

TRANSPORT for NSW, with the approval of Her Excellency the Governor with the advice of the Executive Council, declares that the land described in the Schedule hereto is acquired by compulsory process with immediate vacant possession under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) for the purposes of exercising the functions of Transport for NSW in respect of the construction, operation and maintenance of the transport infrastructure project known as Sydney Light Rail providing light rail from Circular Quay to Kingsford and Randwick via Surry Hills and Moore Park as authorised by the Transport Administration Act 1988 (NSW).

Dated this 13th day of June 2014.

CHRIS LOCK,  
Deputy Director General,  
Transport Projects,  
Transport for NSW

SCHEDULE

All that piece or parcel of land situated at Randwick, in the Local Government Area of Randwick, Parish of Alexandria, County of Cumberland, being the land described as Lot 2008 in Deposited Plan 1169042, and said to be in the ownership of Anson City Developments 1 (Australia) Pty Ltd.

TfNSW Ref: 3165768\_1

**TRANSPORT ADMINISTRATION ACT 1988**

LAND ACQUISITION (JUST TERMS  
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Notice of Compulsory Acquisition of Land for  
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TRANSPORT for NSW, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Transport for NSW, as authorised by the Transport Administration Act 1988.

Dated this 23rd day of June 2014.

TERRY BRADY,  
General Manager,  
Country Rail Contracts,  
Transport Services Division

SCHEDULE

All those pieces or parcels of land situated in the locality of the Singleton Military Area in the Local Government Area of Singleton, Parishes of Belford and Whittingham, County of Northumberland and State of New South Wales, being identified as Lot 302 in Deposited Plan 1179681 and Lot 303 in Deposited Plan 1179681 and having an area of 1573.5 square metres and said to be in the ownership of the Singleton Shire Council.

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LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991

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Dated this 23rd day of June 2014.

TERRY BRADY,  
General Manager,  
Country Rail Contracts,  
Transport Services Division

SCHEDULE

All those pieces or parcels of land situated in the locality of Belford in the Local Government Area of Singleton, Parish of Belford, County of Northumberland and State of New South Wales, being identified as Lot 406, Lot 407, Lot 408 and Lot 409 in Deposited Plan 1141524 and having an area of 3 hectares 5668 square metres and said to be in the ownership of the State of NSW.