

BRITISH VIRGIN ISLANDS COMMISSION OF INQUIRY

Protocol for expenses claimed under Section 15 **of the Commissions of Inquiry Act**

1. This Protocol is made under section 9 of the Commissions of Inquiry Act 1880 (Cap 237) (“the Act”).
2. By section 15 of the Act:

“All persons summoned to attend and give evidence, or to produce books, plans or documents, or any other matter, at any sitting of any such commission, shall be bound to obey the summons served upon them as fully, in all respects, as witnesses are bound to obey subpoenas issued from the High Court, and shall be entitled to the like expenses as if they had been summoned to attend the High Court on a criminal trial, if the same shall be allowed by the commissioners, but the commissioners may disallow the whole or any part of such expenses in any case, if they think fit. Orders for the payment of such witnesses shall be made, as nearly as may be, as orders are made for the payment of witnesses at the High Court, and shall be paid at such time and in such manner as the Governor may direct.”

3. Any person who has, under this provision, received a summons to attend and give evidence, or to produce books, plans or documents, or any other matter, at any sitting of the Commission of Inquiry (“COI”) can make a claim for expenses to the Commissioner if so advised. Such a claim cannot include a claim for any fees and expenses incurred by the person in respect of legal representation or advice.
4. The application can be made through the Secretary to the COI at steven.chandler@bvi.public-inquiry.uk
5. Any application should be no more than 5 pages in length and should include details of (i) the person applying with their postal address, telephone number

and email address, (ii) the legal basis on which expenses are claimed; and (iii) the amount in expenses claimed and why such is justified.

6. The Commissioner will determine the application on the basis of the written application alone unless he considers an oral hearing necessary.

The Rt Hon Sir Gary Hickinbottom

Commissioner

13 April 2021