



Costs in Criminal Cases Act (Northern Ireland) 1968

1968 CHAPTER 10

6 Effect of costs of legal aid.

Notwithstanding anything to the contrary contained in sections 3, 4 and 5, where any costs of a defence or appeal are defrayable under [^{F1}the Access to Justice (Northern Ireland) Order 2003] or under [^{F2} section 28(2) of the Criminal Appeal (Northern Ireland) Act 1980 ^{M1}]

- (a) no order shall be made under section 3(1) or (5), 4(2) or 5(1)(*b*) or (3) in favour of the defendant or appellant; and
- (b) the appropriate court may, if the costs would, had any order been made under section 3(1) or 5(1)(*b*), have been payable to the defendant or appellant, as the case may be, by any person other than the [^{F3}Director of Public Prosecutions] or any ... ^{F4} department of the Government of Northern Ireland, order the prosecutor or the respondent, as the case may be, [^{F5} to pay to the [^{F6}Department of Justice the whole or any part of the costs of the criminal defence services funded by the Department of Justice for the defendant or (as the case may be) the appellant]].

F1 Words in s. 6 substituted (1.4.2015) by Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10)), arts. 1(2), **Sch. 4 para. 1(3)(a)**; S.R. 2015/194, art. 2, **Sch.** (with art. 3)

F2 1980 c.47

F3 Words in s. 6(b) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 8** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

F4 SI 1973/2163

F5 SI 1982/159

F6 Words in s. 6(b) substituted (1.4.2015) by Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10)), arts. 1(2), **Sch. 4 para. 1(3)(b)** (as amended (18.11.2014) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), Sch. 2 para 6(43)(a)(b)(i)); S.R. 2015/194, **art. 2, Sch.** (with art. 3)

Status: Point in time view as at 01/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Costs in Criminal Cases Act (Northern Ireland) 1968, Section 6. (See end of Document for details)

Marginal Citations

M1 [1980 c. 47](#)

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