



# Licensing Act 1964

## 1964 CHAPTER 26

### PART I

#### THE GENERAL LICENSING SYSTEM

##### *Appeals*

#### **25 Award of costs of licensing justices out of local funds**

(1) Where—

- (a) an appeal under section 21 of this Act, other than an appeal against the grant of a justices' licence, is allowed, or
- (b) quarter sessions have, under section 24(2) of this Act, awarded costs against the appellant and are satisfied that the licensing justices cannot recover those costs from him,

the court shall order payment out of local funds of such sums as appear to the court sufficient to indemnify the licensing justices from all costs and charges whatever to which they have been put in consequence of the appellant's notice of appeal.

(2) Costs payable out of local funds under this section shall be paid—

- (a) if the licensing district for which the licensing justices acted is a borough having a separate court of quarter sessions, out of the general rate fund of the borough; and
- (b) in any other case, out of the county fund of the county in which the licensing district is situated.

(3) Sections 8(1) and 11(1) of the Costs in Criminal Cases Act 1952 (which make provision for the payment out of local funds of costs ordered to be paid under that Act) shall apply to costs ordered to be paid under this section as if any reference therein to a county borough were a reference to a borough having a separate court of quarter sessions.

(4) An order of a court of quarter sessions under this section may be made either at the sessions at which the appeal is heard, or at which it would have been heard if the

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*Status: This is the original version (as it was originally enacted).*

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appeal had been prosecuted or at the next following sessions; and the costs may be taxed either in or out of sessions.