

SCHEDULES

SCHEDULE 1

Section 2.

APPLICATION FOR DIRECTION THAT WITNESS SUMMONS BE OF NO EFFECT

Procedure

- 1 Any application under section 2(2) of this Act for a direction in respect of a witness summons shall be made in accordance with rules of court or, in the case of an application to a court of quarter sessions, the standing orders of that court.
- 2 Provision shall be made by rules of court or, as the case may be, standing orders—
 - (a) for requiring the service of notice of any such application on the person at whose instance the witness summons was issued;
 - (b) for enabling any such application to the High Court to be heard and determined by a judge of that Court in chambers;
 - (c) for enabling any such application to a court of quarter sessions to be heard and determined otherwise than in court—
 - (i) in the case of quarter sessions for a county or a London commission area, by the chairman or any deputy chairman;
 - (ii) in the case of quarter sessions for a borough, by the recorder or any deputy or assistant recorder.

Costs

- 3 Where on any such application a direction is given that a witness summons shall be of no effect, the person at whose instance the summons was issued may be ordered to pay the whole or any part of the costs of the application.
- 4 Any costs payable under such an order shall be taxed by the proper officer of the court, and payment of those costs shall be enforceable in the same manner as an order for payment of costs made by the High Court in a civil case or as a sum adjudged summarily to be paid as a civil debt.