



Courts Act 1971

1971 CHAPTER 23

PART VI

MISCELLANEOUS AND SUPPLEMENTAL

Costs

52 Award of costs where information or complaint is not proceeded with.

(1)^{F1}

(3) Where—

(a)^{F2}

(b) a complaint is made to a justice of the peace [^{F3}acting in any local justice area]^{F3} but the complaint is not proceeded with,

a magistrates' court [^{F4}acting in that area]^{F4} may make such order as to costs to be paid . . .^{F5}, by the complainant to the defendant as it thinks just and reasonable.

^{F6}(3A)

(4) An order under subsection (3) above shall specify the amount of the costs ordered to be paid.

(5) . . .^{F5} for the purpose of enforcement an order under subsection (3) above made in relation to a complaint which is not proceeded with shall be treated as if it were an order made under [^{F7}section 64 of the Magistrates' Courts Act 1980] (power to award, and enforcement of, costs in civil proceedings).

Textual Amendments

F1 S. 52(1)(2) repealed by Costs in [Criminal Cases Act 1973 \(c. 14\)](#), [Sch. 2](#)

F2 S. 52(3)(a) repealed by Costs in [Criminal Cases Act 1973 \(c. 14\)](#), [Sch. 2](#)

F3 Words in s. 52(3)(b) substituted (1.4.2005) by [Courts Act 2003 \(c. 29\)](#), ss. 109(1), 110, [Sch. 8 para. 140\(a\)](#); [S.I. 2009/910](#), [art. 3\(y\)](#)

*Changes to legislation: There are currently no known outstanding effects
for the Courts Act 1971, Section 52. (See end of Document for details)*

- F4** Words in s. 52(3) substituted (1.4.2005) by Courts Act 2003 (c. 29), ss. 109(1), 110, **Sch. 8 para. 140(b)**; S.I. 2005/910, **art. 3(y)**
- F5** Words repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**
- F6** S. 52(3A) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 19**; S.I. 2014/954, **art. 2(d)** (with **art. 3**) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F7** Words substituted by Magistrates Courts' Act 1980 (c. 43, SIF 82), s. 154(1), **Sch. 7 para. 96**

Changes to legislation:

There are currently no known outstanding effects for the Courts Act 1971, Section 52.