

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules make provision for wasted costs orders in civil proceedings in magistrates' courts under section 145A of the Magistrates' Courts Act 1980. The Rules provide that the legal or other representative against whom a court is proposing to make an order for wasted costs is to be given a reasonable opportunity to make representations as to why the order should not be made.

The Rules also provide that a wasted costs order may be made either on the application of a party to the proceedings or on the motion of the court and that no such order shall be made after the end of the period of six months beginning with the date on which the proceedings are disposed of by the court.

In addition, provision is made for an appeal to the Crown Court against the making of a wasted costs order.