



## 2009 CHAPTER 6

### *Declarations of presumed death*

#### **Costs**

**12.—(1)** Where any costs are incurred by any person in connection with—

- (a) an application for a declaration under section 1; or
- (b) an application for a variation order,

the High Court may make such order as it considers just as to the payment of those costs by—

- (i) any party to the proceedings; or
- (ii) any person intervening in the proceedings where that person is not a party to the proceedings.

(2) The High Court may order any costs payable in accordance with an order made under subsection (1) to be raised and paid out of the property of the missing person whose presumed death is the subject of the application to which the costs relate.