



2015 CHAPTER 8

PART 8

MISCELLANEOUS

Power of Water Appeals Commission to award costs in an appeal

109.—(1) The Water Appeals Commission may make an order as to the costs of the parties to an appeal mentioned in subsection (2) and as to the parties by whom the costs are to be paid.

(2) The appeals are—

- (a) an appeal under section 21 (reservoir designation),
- (b) an appeal by virtue of regulations under section 27(1) (decision of Department as to whether high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained: frequency of visits by supervising engineer),
- (c) an appeal by virtue of regulations under section 57(1) (cost recovery in relation to flood plan),
- (d) an appeal under section 76 (cost recovery under section 69, 71, 73 or 75),
- (e) an appeal by virtue of regulations under section 77(1) (in relation to stop notice),
- (f) an appeal by virtue of regulations under section 81(1) (in relation to enforcement undertaking),
- (g) an appeal by virtue of regulations under section 83(1) (imposition of fixed monetary penalty),
- (h) an appeal by virtue of regulations under section 86(1) (in relation to variable monetary penalty).

(3) An order made under this section has effect as if it had been made by the High Court.

(4) Without prejudice to the generality of subsection (3), the Master (Taxing Office) has the same powers and duties in relation to an order made under this section as the Master has in relation to an order made by the High Court.

(5) Proceedings before the Commission are, for the purposes of the Litigants in Person (Costs and Expenses) Act 1975, to be regarded as proceedings to which section 1(1) of that Act applies.