



# Ecclesiastical Jurisdiction and Care of Churches Measure 2018

2018 No. 3

## PART 1

### THE ECCLESIASTICAL COURTS

#### *Miscellaneous*

#### **26 Costs**

- (1) A court or commission exercising jurisdiction under this Measure may at any stage of proceedings before it order a party to give security for costs.
- (2) A court or commission exercising jurisdiction under this Measure may make an order against a party to proceedings before it for payment of—
  - (a) taxed costs,
  - (b) a specified proportion of the taxed costs,
  - (c) the taxed costs from or up to a specified stage of the proceedings, or
  - (d) a specified gross sum in lieu of taxed costs.
- (3) The power to tax costs under this section is exercisable by a registrar; and the power must be exercised in such manner as rules may specify.
- (4) Where an order for payment of costs is made under subsection (2)(a), (b) or (c), a party to the proceedings may appeal against the registrar's taxation to the chancellor of the diocese in which the proceedings were brought.
- (5) An appeal under subsection (4) is to be lodged and conducted in such manner as rules may specify.
- (6) On an appeal under subsection (4), the chancellor may confirm or vary the registrar's taxation.

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*Status: This is the original version (as it was originally enacted).*

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- (7) Costs ordered to be paid under this section are, if the county court so orders, recoverable—
- (a) under a warrant issued by the county court (see section 85 of the County Courts Act 1984), or
  - (b) otherwise as if the sum were payable under an order of the county court.
- (8) For the purposes of subsection (7), a certificate stating that the sum specified is the sum due to be paid by the person referred to, and purporting to be signed by the registrar of the diocese or province in which the order for costs was made, is conclusive evidence of the facts certified.
- (9) In this section, “costs” includes fees, charges, disbursements, expenses and remuneration.