

*Status: Point in time view as at 25/08/2000.*

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1970, SCHEDULE 9. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 9

Section 41.

#### ENFORCEMENT OF ORDERS FOR COSTS, COMPENSATION, ETC.

##### Modifications etc. (not altering text)

**C1** Sch. 9 extended by [Courts Act 1971 \(c. 23\)](#), s. 50(5)

### PART I

#### CASES WHERE PAYMENT ENFORCEABLE AS ON SUMMARY CONVICTION

##### *Costs awarded by magistrates*

- 1 Where a magistrates' court, on the summary trial of an information, makes an order as to costs to be paid by the accused to the prosecutor.
- [<sup>F1</sup>1A Where a magistrates' court makes an order as to costs to be paid by the accused in exercise of any power in that behalf conferred by regulations made under section 19(1) of the Prosecution of Offences Act 1985.]

##### Textual Amendments

**F1** Sch. 9 Para. 1A inserted by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\)](#), s. 31(5), [Sch. 1 Pt. II para. 7\(2\)](#)

- 2 Where an appellant to [<sup>F2</sup>the Crown Court] against conviction or sentence by a magistrates' court abandons his appeal and the magistrates' court orders him to pay costs to the other party to the appeal.

##### Textual Amendments

**F2** Words substituted by [Courts Act 1971 \(c. 23\)](#), [Sch. 8 para. 60\(3\)](#)

##### *Costs awarded by assizes and quarter sessions*

- 3 Where a person appeals to [<sup>F3</sup>the Crown Court] against conviction or sentence by a magistrates' court, and [<sup>F3</sup>the Crown Court] makes an order as to costs to be paid by him.

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**Textual Amendments**

**F3** Words substituted by [Courts Act 1971 \(c. 23\)](#), **Sch. 8 para. 60(3)**

4 Where a person is prosecuted or tried on indictment . . . <sup>F4</sup>before [<sup>F5</sup>the Crown Court]and is convicted, and the court [<sup>F6</sup>makes an order as to costs to be paid by him].

**Textual Amendments**

**F4** Words repealed by [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), s. 65, **Sch. 13**

**F5** Words substituted by [Courts Act 1971 \(c. 23\)](#), **Sch. 8 para. 60(3)**

**F6** Words substituted by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\)](#), s. 31(5), **Sch. 1 Pt. II para. 7(3)**

[<sup>F7</sup>4A Where the Crown Court makes an order as to costs to be paid by the accused in exercise of any power in that behalf conferred by regulations made under section 19(1) of the [Prosecution of Offences Act 1985](#).]

**Textual Amendments**

**F7** [Sch. 9 para. 4A](#) inserted by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\)](#), s. 31(5), **Sch. 1 Pt. II para. 7(4)**

5 . . . . . <sup>F8</sup>

**Textual Amendments**

**F8** [Sch. 9 para. 5](#) repealed by [Costs in Criminal Cases Act 1973 \(c. 14\)](#), **Sch. 2**

*Costs awarded by Court of Appeal (criminal division) or House of Lords*

[<sup>F9</sup>6 Where the criminal division of the Court of Appeal makes an order as to costs to be paid by—  
(a) an appellant;  
(b) an applicant for leave to appeal to that court; or  
(c) in the case of an application for leave to appeal to the House of Lords, an applicant who was the appellant before the criminal division.]

**Textual Amendments**

**F9** [Sch. 9 para. 6](#) substituted for [Sch. 9 paras.6, 7](#) by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\)](#), s. 31(5), **Sch. 1 Pt. II para. 7(5)**

8 . . . . . <sup>F10</sup>

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#### Textual Amendments

**F10** Sch. 9 paras. 8, 21 repealed by Courts Act 1971 (c. 23, SIF 37), Sch. 11 Pt. IV

*Miscellaneous orders for costs, compensation, damages etc.*

[<sup>F119</sup> Where a court makes an order by virtue of [<sup>F12</sup>regulations made under section 19(5) of the Prosecution of Offences Act 1985] for the payment of costs by an offender.]

#### Textual Amendments

**F11** Sch. 9 Para. 9 substituted by Costs in Criminal Cases Act 1973 (c. 14), Sch. 1 para. 6

**F12** Words substituted by Prosecution of Offences Act 1985 (c. 23, SIF 39:1), s. 31(5), Sch. 1 Pt. II para. 7(6)

[<sup>F1310</sup> Where under section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 a court orders the payment of compensation.]

#### Textual Amendments

**F13** Sch. 9 para. 10 substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), Sch. 9 para. 43(1)(2)

12 Where under [<sup>F14</sup>section 137 of the Powers of Criminal Courts (Sentencing) Act 2000] a court orders any fine, . . . <sup>F15</sup> compensation or costs, or any sum awarded by way of satisfaction or compensation to be paid by the parent or guardian of a child or young person.

#### Textual Amendments

**F14** Words in Sch. 9 para. 12 substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), Sch. 9 para. 43(3)

**F15** Word repealed by Criminal Justice Act 1972 (c. 71), Sch. 6 Pt. II

[<sup>F16</sup>Where under section 5 of the Isle of Wight County Council Act <sup>M1</sup>1971 a court adjudges a person to pay a sum of money in respect of extra expenses incurred by reason of the holding of an assembly or breach of a term or condition imposed under that section.]

#### Textual Amendments

**F16** Sch. 9 Pt.I new paragraph inserted by Isle of Wight County Council Act 1971 (c. lxxi), s. 5(9)(e) (as amended by and set out in Isle of Wight Act 1990 (c. iv), s. 5, Sch.) for the purposes of s.41

#### Marginal Citations

**M1** 1971 c.lxxi.

#### Textual Amendments

**F16** Sch. 9 Pt.I new paragraph inserted by Isle of Wight County Council Act 1971 (c. lxxi), s. 5(9)(e) (as amended by and set out in Isle of Wight Act 1990 (c. iv), s. 5, Sch.) for the purposes of s.41

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### Marginal Citations

**M1** 1971 c.lxxi.

## PART II

### CASES WHERE COSTS ENFORCEABLE SUMMARILY AS CIVIL DEBT

#### *Costs awarded by magistrates*

[<sup>F17</sup>13 Where a magistrates' court makes an order as to costs to be paid by the prosecutor in exercise of any power in that behalf conferred by regulations made under section 19(1) of the Prosecution of Offences Act 1985.]

### Textual Amendments

**F17** Sch. 9 para. 13 substituted by Prosecution of Offences Act 1985 (c. 23, SIF 39:1), s. 31(5), **Sch. 1 Pt. II para. 7(7)**

14 Where an appellant to [<sup>F18</sup>the Crown Court] from a magistrates' court (otherwise than against conviction or sentence) abandons his appeal and the magistrates' court orders him to pay costs to the other party to the appeal.

### Textual Amendments

**F18** Words substituted by Courts Act 1971 (c. 23), **Sch. 8 para. 60(3)**

15 ..... <sup>F19</sup>

### Textual Amendments

**F19** Sch. 9 para. 15 repealed by Prosecution of Offences Act 1985 (c. 23, SIF 39:1), s. 31(5)(6), Sch. 1 Pt. II para. 7(8), **Sch. 2**

#### *Costs awarded by assizes and quarter sessions*

[<sup>F20</sup>16 Any order for the payment of costs made by the Crown Court, other than an order falling within Part I above, or an order for costs to be paid out of money provided by Parliament.]

### Textual Amendments

**F20** Sch. 9 para. 16 substituted for paras. 16–20 by Courts Act 1971 (c. 23), **Sch. 8 para. 60(4)**

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*[<sup>F21</sup> Costs awarded by Court of Appeal (criminal division)]*

**Textual Amendments**

**F21** Sch. 9 para. 16A inserted by Prosecution of Offences Act 1985 (c. 23, SIF 39:1), s. 31(5), **Sch. 1 Pt. II para. 7(9)**

16A Where the criminal division of the Court of Appeal makes an order as to costs to be paid by the respondent or, in the case of an application for leave to appeal to the House of Lords, an applicant who was the respondent before the criminal division, and does so in exercise of any power in that behalf conferred by regulations made under section 19(1) of the Prosecution of Offences Act 1985.

17–20 ..... <sup>F22</sup>

**Textual Amendments**

**F22** Sch. 9 paras 17–20 repealed as provided in the Chronological Table of Statutes

21 ..... <sup>F23</sup>

**Textual Amendments**

**F23** Sch. 9 paras. 8, 21 repealed by Courts Act 1971 (c. 23, SIF 37), **Sch. 11 Pt. IV**

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