
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Prosecution of Offences Act 1985. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

AMENDMENTS RELATING TO PART II

The Administration of Justice Act 1970 (c. 31)

- 7 (1) Schedule 9 to the Administration of Justice Act 1970 shall be amended as follows.
- (2) After paragraph 1 there shall be inserted—
- “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.”
- (3) In paragraph 4, for the words “orders him to pay the whole or part of the costs incurred in or about the prosecution and conviction ” there shall be substituted “makes an order as to costs to be paid by him ”.
- (4) After paragraph 4 there shall be inserted—
- “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.”
- (5) For paragraphs 6 and 7 there shall be substituted the following—
- “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.”
- (6) In paragraph 9, for “section 18 of the Costs in Criminal Cases Act 1973 ” there shall be substituted “regulations made under section 19(5) of the Prosecution of Offences Act 1985 ”.
- (7) For paragraph 13 there shall be substituted the following—
- “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.”
- (8) Paragraph 15 shall be omitted.

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(9) After paragraph 16 there shall be inserted—

“ Costs awarded by Court of Appeal (criminal division)

- 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.”

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(2)(ad) inserted by [2023 c. 41 Sch. 13 para. 1\(2\)\(a\)](#)
- s. 3(2)(bd) inserted by [2023 c. 41 Sch. 13 para. 1\(2\)\(b\)](#)
- s. 3(2)(ef) inserted by [2023 c. 41 Sch. 13 para. 1\(2\)\(c\)](#)
- s. 3(2)(fi) inserted by [2023 c. 15 s. 33\(1\)](#)