
STATUTORY INSTRUMENTS

1986 No. 1335

The Costs in Criminal Cases (General) Regulations 1986

PART II

COSTS UNNECESSARILY OR IMPROPERLY INCURRED

Unnecessary or improper acts and omissions

3.—(1) Subject to the provisions of this regulation, where at any time during criminal proceedings—

- (a) a magistrates' court,
- (b) the Crown Court, or
- (c) the Court of Appeal

is satisfied that costs have been incurred in respect of the proceedings by one of the parties as a result of an unnecessary or improper act or omission by, or on behalf of, another party to the proceedings, the court may, after hearing the parties, order that all or part of the costs so incurred by that party shall be paid to him by the other party.

(2) Before making an order under paragraph (1), the court shall take into account any other order as to costs (including any legal aid order) which has been made in respect of the proceedings.

(3) An order made under paragraph (1) shall specify the amount of costs to be paid in pursuance of the order.

(4) Where an order under paragraph (1) has been made, the court may take that order into account when making any other order as to costs in respect of the proceedings.

(5) No order under paragraph (1) shall be made by a magistrates' court which requires a person under the age of seventeen who has been convicted of an offence to pay an amount by way of costs which exceeds the amount of any fine imposed on him.