
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 45

COSTS

PAYMENT OF COSTS BY ONE PARTY TO ANOTHER

Costs on an application

45.7.—(1) This rule—

- (a) applies where the court can order a party to pay another person's costs in a case in which—
 - (i) the court decides an application for the production in evidence of a copy of a bank record,
 - (ii) a magistrates' court or the Crown Court decides an application to terminate a football banning order,
 - (iii) a magistrates' court or the Crown Court decides an application to terminate a disqualification for having custody of a dog,
 - (iv) the Crown Court allows an application to withdraw a witness summons, or
 - (v) the Crown Court decides an application relating to a deferred prosecution agreement under rule 11.5 (breach), rule 11.6 (variation) or rule 11.7 (lifting suspension of prosecution); and
- (b) authorises the Crown Court, in addition to its other powers, to order a party to pay another party's costs on an application to that court under rule 11.5, 11.6 or 11.7.

(2) The court may make an order—

- (a) on application by the person who incurred the costs; or
- (b) on its own initiative.

(3) A person who wants the court to make an order must—

- (a) apply as soon as practicable;
- (b) notify each other party; and
- (c) specify—
 - (i) the amount claimed, and
 - (ii) against whom.

(4) A party who wants to oppose an order must make representations as soon as practicable.

(5) If the court makes an order, it may direct an assessment under rule 45.11, or assess the amount itself.

[Note. See—

- (a) rule 45.2;
- (b) section 8 of the Bankers Books Evidence Act 1879⁽¹⁾;
- (c) section 14H(5) of the Football Spectators Act 1989⁽²⁾;
- (d) section 2C(8) of the Criminal Procedure (Attendance of Witnesses) Act 1965⁽³⁾; and
- (e) section 4(7) of the Dangerous Dogs Act 1991⁽⁴⁾.

Section 52 of the Senior Courts Act 1981 allows rules of court to authorise the Crown Court to order costs.]

(1) 1879 c. 11.
(2) 1989 c. 37; section 14H was substituted, together with sections 14, 14A-14G and 14J, for existing sections 14-17, by section 1 of, and paragraphs 1 and 2 of Schedule 1 to, the Football (Disorder) Act 2000 (c. 25).
(3) 1965 c. 69; section 2C was substituted with section 2, 2A, 2B, 2D and 2E, for the existing section 2 by section 66(1) and (2) of the Criminal Procedure and Investigations Act 1996 (c. 25).
(4) 1991 c. 65.