



Infrastructure (Wales) Act 2024

2024 asc 3

PART 4

EXAMINING APPLICATIONS

Examining applications

54 Orders relating to costs of parties on examination proceedings

- (1) This section applies to proceedings in connection with the examination of an application under this Part (whether it is considered at a local inquiry, at a hearing or on the basis of representations in writing).
- (2) The Welsh Ministers may make orders about—
 - (a) the costs of the applicant, the Welsh Ministers, a planning authority or other party to proceedings (which may include costs in respect of an inquiry or hearing that does not take place), and
 - (b) the person or persons who must pay the costs.
- (3) But the Welsh Ministers may not order a person to pay the costs of another party unless they are satisfied that—
 - (a) the person has behaved unreasonably in relation to the proceedings, and
 - (b) the person's unreasonable behaviour has caused the other party to incur unnecessary or wasted expenditure.
- (4) Costs payable by virtue of subsection (2) may be recovered as if they were payable under an order of the High Court, if the High Court so orders on the application of the person to whom the costs are due.
- (5) The power to make orders under this section must also be exercised in accordance with any provision made under section 44 (examination procedure).