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STATUTORY INSTRUMENTS

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**2015 No. 1568**

The Faculty Jurisdiction Rules 2015

PART 19

Costs

**General**

**19.1.**—(1) The court may exercise its power to make an order for costs against a party at any stage in proceedings.

(2) If a court proposes to make an order for costs other than at a hearing it must afford the person against whom the order is proposed to be made an opportunity to make representations to the court, either in writing or at a hearing, as the court thinks fit.

(3) The court may comply with the requirements of paragraph (2) by making a provisional order for costs that is to come into effect after the expiry of a specified period of time unless within that period the person against whom the order is made makes representations as to why the order should not have been made.

**Assessment of costs**

**19.2.** Unless the amount of any costs is specified in the order made by the court, costs are to be assessed by the registrar in such manner as the registrar thinks just, subject to any directions given by the court.

**Appeals against registrar's assessment**

**19.3.**—(1) Any appeal against the registrar's assessment of costs relating to proceedings in a consistory court is to be made to the chancellor in such manner as the chancellor may direct.

(2) On an appeal the chancellor may confirm or vary the registrar's assessment.

**Special citation of persons in default**

**19.4.**—(1) Where any person who is not already a party to faculty proceedings is alleged to be responsible or partly responsible for an act or default in consequence of which the proceedings were instituted the court may issue a special citation adding that person as a party to the proceedings.

(2) A special citation issued under paragraph (1) must state—

- (a) that the person is being added as a party to the proceedings in order that the court may consider making an order for costs against that person under section 13(1) of the Measure; and
- (b) the grounds on which it is alleged that the person is responsible or partly responsible for the act or default in question.

(3) If a special citation requires a person to attend court it must specify the date, time and place at which that person is to attend.

### **Security for costs**

**19.5.**—(1) The court may order any party to give security for costs at any stage in proceedings if it is satisfied, having regard to all the circumstances of the case, that it is just to make such an order.

(2) An order for security for costs may be made on the application of a party or of the court's own initiative.

(3) An application for an order for security for costs must be supported by written evidence.

(4) Where the court makes an order for security for costs, it will—

(a) determine the amount of the security; and

(b) direct—

(i) the manner in which, and

(ii) the time within which

the security must be given.