



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART II

CIVIL JURISDICTION AND PROCEDURE

Costs

64 Power to award costs and enforcement of costs.

- (1) On the hearing of a complaint, a magistrates' court shall have power in its discretion to make such order as to costs—
 - (a) on making the order for which the complaint is made, to be paid by the defendant to the complainant;
 - (b) on dismissing the complaint, to be paid by the complainant to the defendant, as it thinks just and reasonable; but if the complaint is for an order for the periodical payment of money, or for the revocation, revival or variation of such an order, or for the enforcement of such an order, the court may, whatever adjudication it makes, order either party to pay the whole or any part of the other's costs.
- (2) The amount of any sum ordered to be paid under subsection (1) above shall be specified in the order, or order of dismissal, as the case may be.
- (3) Subject to subsection (4) below, costs ordered to be paid under this section shall be enforceable as a civil debt.
- [^{F1}(4) Any costs awarded on a complaint for a maintenance order, or for the enforcement, variation, revocation, discharge or revival of such an order, against the person liable to make payments under the order shall be enforceable as a sum ordered to be paid by a magistrates' court maintenance order.]
- (5) The preceding provisions of this section shall have effect subject to any other Act enabling a magistrates' court to order a successful party to pay the other party's costs.

Status: Point in time view as at 01/04/2005. This version of this provision has been superseded.

Changes to legislation: Magistrates' Courts Act 1980, Section 64 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** S. 64(4) substituted by Family Law Reform Act 1987 (c. 42, SIF 49:7), ss. 33(1)(2), Sch. 2 para. 81, Sch. 3 paras. 1, 6

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