



Parliamentary Costs Act 2006

2006 CHAPTER 37

Vexatious proceedings

9 Award of costs to promoter of private Bill

- (1) This section applies where, in proceedings of Parliament on a private Bill, a committee of either House—
 - (a) decides that the preamble to the Bill is proved, and
 - (b) unanimously reports that the promoter has been vexatiously exposed to costs as a result of opposition to the Bill by one or more petitioners.
- (2) The promoter may recover from the petitioner (or, where there is more than one, those specified by the committee)—
 - (a) such portion as the committee specifies of the promoter's costs of promoting the Bill (subject to their assessment under section 12), or
 - (b) if the committee specifies an amount in respect of those costs and the parties affected agree to it, that amount.
- (3) The committee must specify in its report—
 - (a) the portion or amount of costs recoverable under this section,
 - (b) who must pay that portion or amount, and
 - (c) who may recover it.
- (4) A landowner who at his own risk and cost opposes a private Bill which proposes the acquisition of any part of his property is not liable under this section for any costs in respect of his opposition.
- (5) For the purposes of this section and section 10, a committee is to be regarded as reporting unanimously if its report is made by every member of it present.

10 Award of costs to petitioner opposing private Bill

- (1) This section applies where, in proceedings of Parliament on a private Bill, a committee of either House—

- (a) decides that the preamble to the Bill is not proved, or amends the Bill so as to protect a petitioner who opposes it, and
 - (b) unanimously reports that a petitioner who opposes the Bill has been unreasonably or vexatiously exposed to costs in defending rights of his with which the Bill proposes to interfere.
- (2) A petitioner of the kind mentioned in subsection (1)(b) may recover from the promoter—
- (a) the amount of the petitioner’s costs (subject to their assessment under section 12) for defending rights of his of the kind mentioned in subsection (1)(b),
 - (b) if the committee specifies a portion of those costs, that portion, or
 - (c) if the committee specifies an amount in respect of those costs and the parties affected agree to it, that amount.
- (3) The committee must specify in its report—
- (a) the portion or amount of costs recoverable under this section,
 - (b) who must pay that portion or amount, and
 - (c) who may recover it.

11 Application for assessment etc. on award of vexatious costs

- (1) A person entitled to recover costs under section 9(2)(a) or 10(2)(a) or (b) may apply for their assessment and certification.
- (2) A person entitled to recover costs under section 9(2)(b) or 10(2)(c) may apply only for their certification.
- (3) The application must be made to the taxing officer of the House to which the members of the committee awarding the costs belong.
- (4) The application—
 - (a) must be made before the end of the period of six months beginning with the date of the committee’s report, but
 - (b) if made under subsection (1), must not be made before the end of the period of one month beginning with the day on which a duly signed bill of the costs is delivered to the person required to pay those costs.
- (5) “Duly signed”, in relation to a bill of costs, means signed (or, where appropriate, sealed) by or on behalf of the applicant.

12 Duty to assess and certify vexatious costs

- (1) Where a taxing officer receives an application under section 11(1), he must assess and certify the costs to which the application relates.
- (2) Where a taxing officer receives an application under section 11(2), he must certify the costs to which the application relates.
- (3) The certificate must specify—
 - (a) the amount of costs recoverable (“the recoverable costs”),
 - (b) the person entitled to recover that amount (“the entitled person”),
 - (c) any person liable to pay it (“the liable person”), and

- (d) the extent to which he is liable to do so (“the specified extent”).
- (4) The certificate is to be treated for the purposes of any proceedings as conclusive evidence of—
 - (a) the recoverable costs, and
 - (b) the right of the entitled person to recover those costs from the liable person to the specified extent.
- (5) The certificate must be—
 - (a) signed by the taxing officer giving it, and
 - (b) given by him to such of the parties affected as he thinks appropriate.
- (6) The entitled person must, on recovering the recoverable costs, give a receipt at the foot of the certificate; and the receipt discharges the liability to pay the costs.