

2001 No. 611

CRIMINAL LAW, ENGLAND AND WALES

**The Costs in Criminal Cases (General) (Amendment)
Regulations 2001**

Made - - - - - *27th February 2001*

Laid before Parliament *2nd March 2001*

Coming into force - - *1st April 2001*

The Lord Chancellor, in exercise of the powers conferred on him by sections 19 and 20 of the Prosecution of Offences Act 1985(a), hereby makes the following Regulations:

1. These Regulations may be cited as the Costs in Criminal Cases (General) (Amendment) Regulations 2001 and shall come into force on 1st April 2001.
2. In the Costs in Criminal Cases (General) Regulations 1986(b)—
 - (i) in regulation 6 (claim for costs), in paragraph (2), there shall be substituted for the words “appropriate authority in such form and manner as it”, the words “justices’ chief executive for the court, in the case of proceedings in a magistrates’ court, or to the appropriate authority, in the case of proceedings in any other court specified in regulation 5(2), in such form and manner as he or it”; and
 - (ii) in regulation 8 (payment of costs), in paragraph (1), there shall be substituted for the words “Having determined the costs payable to an applicant in accordance with these Regulations, the appropriate authority”, the words “When the appropriate authority has determined the costs payable to an applicant in accordance with these Regulations, the justices’ chief executive for the court, in the case of proceedings in a magistrates’ court, or the appropriate authority, in the case of proceedings in any other court specified in regulation 5(2),”.

27th February 2001

Irvine of Lairg, C.

(a) 1985 c. 23.

(b) S.I. 1986/1335. The relevant amending instrument is S.I. 1999/2096.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Costs in Criminal Cases (General) Regulations 1986 to transfer the administrative functions of justices' clerks under the Regulations to justices' chief executives in line with section 90 (transfer of clerks' functions to chief executives) of, and Schedule 13 to, the Access to Justice Act 1999 (c. 22) which implement corresponding transfers in primary legislation.

Subsection (5) of that section provides that for the purposes of that section the administrative functions of justices' clerks are all of their functions apart from those which are legal functions within the meaning given by section 48(2) of the Justices of the Peace Act 1997 (c. 25), as substituted by section 89(1) of the 1999 Act.

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