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STATUTORY INSTRUMENTS

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**2011 No. 1709**

**The Criminal Procedure Rules 2011**

**PART 76**

**COSTS**

*SECTION 3: PAYMENT OF COSTS BY ONE PARTY TO ANOTHER*

**Costs on an application**

**76.7.**—(1) This rule applies where the court can order a party to pay another person's costs in a case in which—

- (a) the court decides an application for the production in evidence of a copy of a bank record;
  - (b) a magistrates' court or the Crown Court decides an application to terminate—
    - (i) a football banning order, or
    - (ii) a disqualification for having custody of a dog; or
  - (c) the Crown Court allows an application to withdraw a witness summons.
- (2) The court may make an order—
- (a) on application by the person who incurred the costs; or
  - (b) on its own initiative.
- (3) A person who wants the court to make an order must—
- (a) apply as soon as practicable;
  - (b) notify each other party; and
  - (c) specify—
    - (i) the amount claimed, and
    - (ii) against whom.
- (4) A party who wants to oppose an order must make representations as soon as practicable.
- (5) If the court makes an order, it may direct an assessment under rule 76.11, or assess the amount itself.

*[Note. See—*

- (a) *rule 76.2;*
- (b) *section 8 of the Bankers Books Evidence Act 1879(1);*
- (c) *section 14H(5) of the Football Spectators Act 1989(2);*

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(1) 1879 c. 11.

(2) 1989 c. 37; section 14H was substituted, together with sections 14, 14A-14G and 14J, for existing sections 14-17, by section 1 of, and paragraphs 1 and 2 of Schedule 1 to, the Football (Disorder) Act 2000 (c. 25).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (d) *section 2C(8) of the Criminal Procedure (Attendance of Witnesses) Act 1965***(3)**; and
- (e) *section 4(7) of the Dangerous Dogs Act 1991***(4)**.]

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**(3)** 1965 c. 69; section 2C was substituted with section 2, 2A, 2B, 2D and 2E, for the existing section 2 by section 66(1) and (2) of the Criminal Procedure and Investigations Act 1996 (c. 25).

**(4)** 1991 c. 65.