STATUTORY INSTRUMENTS

2013 No. 2526

CRIMINAL LAW, ENGLAND AND WALES

The Costs in Criminal Cases (General) (Amendment) Regulations 2013

Made - - - -	*3rd October 2013*
Laid before Parliament	*4th October 2013*
Coming into force - -	*27th October 2013*

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by section 19(3) and (5) of the Prosecution of Offences Act 1985(**a**):

Citation and commencement

1. These Regulations may be cited as the Costs in Criminal Cases (General) (Amendment) Regulations 2013 and come into force on 27th October 2013.

Amendment of the Costs in Criminal Cases (General) Regulations 1986

2.—(1) The Costs in Criminal Cases (General) Regulations 1986(**b**) are amended as follows.

(2) In regulation 14(2) (application of sections 16, 17 and 18 of the Act)—

(a) in sub-paragraph (a), for the second "committed" substitute "sent" and omit the words from "and as if" to the end; and

(b) in sub-paragraph (b), omit the words from "and as if" to the end.

(3) In regulation 15 (definitions), in the definition of "proceedings in a criminal cause or matter" for "committed" substitute "sent".

(4) In regulation 16(1) (general), after sub-paragraph (ba) insert—

"(bb) an intermediary is required to assist the defendant; or".

Chris Grayling

3rd October 2013 Lord Chancellor

(**a**) 1985 c. 23; section 19(3) was relevantly amended by section 166(2) of the Criminal Justice Act 1988 (c. 33).
(**b**) S.I. 1986/1335; relevant amending instruments are S.I. 2008/2448 and S.I. 2009/2720.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Costs in Criminal Cases (General) Regulations 1986 (S.I. 1986/1335) ("the 1986 Regulations") which concern the procedure for making certain costs orders in criminal and related proceedings, the determination of costs payable out of central funds and allowances to persons such as witnesses.

Regulation 2(2) and (3) amends regulations 14 and 15 of the 1986 Regulations. These amendments are in consequence of the abolition of the committal procedure by the Criminal Justice Act 2003 (Commencement No. 31 and Saving Provisions) Order 2013 (S.I. 2013/1103). These amendments reflect the fact that cases are no longer committed by magistrates' courts to the Crown Court for trial, but rather are sent there.

Regulation 2(4) amends Part 5 of the 1986 Regulations, which details when payments can be made to certain groups of people arising out of their involvement in criminal proceedings. The amendment ensures that intermediaries that are required to assist the defendant in court will be able to receive payment out of central funds. This amendment implements, in part, Directive 2010/64/EU of the European Parliament and of the Council of 20th October 2010 on the right to interpretation and translation in criminal proceedings (OJ L 280, 26.10.2010, p.1.).

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