STATUTORY INSTRUMENTS

1963 No. 433

CRIMINAL PROCEDURE, ENGLAND AND WALES

The Court Expenses (Recovery) Regulations 1963

Made - - - - 4*th March* 1963
Coming into Operation 1*st April* 1963

In pursuance of section 18 (3) of the Criminal Justice Administration Act 1962(a), I hereby make the following Regulations:—

1.—(1) The sum in respect of the expenses of holding a court of assize or quarter sessions (including salaries and allowances) which may be recovered under section 18 (3) of the Criminal Justice Administration Act 1962 by the authority incurring those expenses shall be—

(*a*) in a case in which a prisoner or, if there is more than one prisoner, any of the prisoners, is given in charge to a jury, a sum for the case equal to half of such sum in respect of the costs of the prosecution as may be ordered under section 1 of the Costs in Criminal Cases Act 1952(b) to be paid out of local funds, or one hundred pounds for each day on which any part of the proceedings in the case takes place, whichever is the less; and

(*b*) in any other case, for each person tried, sentenced or dealt with as mentioned in section 18 (1) of the Criminal Justice Administration Act 1962, fifteen pounds for each day on which any part of the proceedings relating to that person takes place.

(2) For the purposes of this Regulation a day on which no proceedings in a case takes place other than proceedings relating solely to—

(*a*) an adjournment,

(*b*) an application that any person be admitted to bail,

(*c*) an application for legal aid for any person, or

(*d*) the pronouncement of judgment when the court has intimated that counsel need not attend thereat,

shall not be regarded as a day on which any part of the proceedings in that case takes place.

2. The Interpretation Act 1889(c) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

3. These Regulations may be cited as the Court Expenses (Recovery) Regulations 1963 and shall come into operation on 1st April 1963.

Henry Brooke,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
4th March 1963.

(a) 10 & 11 Eliz. 2. c. 15. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 48.
(c) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Where a case, including a trial case and a case sent for sentence, is dealt with at a court of assize or quarter sessions which could not have dealt with it but for certain provisions listed in section 18 (1) of the Criminal Justice Administration Act 1962, such sums in respect of the expenses of holding the court as may be determined in accordance with Regulations made under section 18 (3) may be recovered by the authority incurring those expenses from the authority liable to defray the expenses of the court at which the case would have been dealt with apart from those provisions. These Regulations make provision accordingly as to the sums recoverable for, respectively, cases in which there is a jury, and other cases.