



Senior Courts Act 1981

1981 CHAPTER 54

PART II

JURISDICTION

GENERAL PROVISIONS

Costs

52 Costs in Crown Court.

(1) [^{F1}Rules of court] may authorise the Crown Court to award costs and may regulate any matters relating to costs of proceedings in that court, and in particular may make provision as to—

- (a) any discretion to award costs;
- (b) the taxation of costs, or the fixing of a sum instead of directing a taxation, and as to the officer of the court or other person by whom costs are to be taxed;
- (c) a right of appeal from any decision on the taxation of costs, whether to a Taxing Master of the [^{F2}Senior Courts] or to any other officer or authority;
- (d) a right of appeal to the High Court, subject to any conditions specified in the rules, from any decision on an appeal brought by virtue of paragraph (c);
- (e) the enforcement of an order for costs; and
- (f) the charges or expenses or other disbursements which are to be treated as costs for the purposes of the rules.

(2) The costs to be dealt with by rules made in pursuance of this section may, where an appeal is brought to the Crown Court from the decision of a magistrates' court, or from the decision of any other court or tribunal, include costs in the proceedings in that court or tribunal.

[^{F3}(2A) Subsection (6) of section 51 applies in relation to any civil proceedings in the Crown Court as it applies in relation to any proceedings mentioned in subsection (1) of that section]

Changes to legislation: Senior Courts Act 1981, Section 52 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) Nothing in this section authorises the making of rules about the payment of costs out of central funds, whether under the [^{F4}Part II of the Prosecution of Offences Act 1985] or otherwise, but rules made in pursuance of this section may make any such provision as [^{F5}in relation to costs of proceedings in the Crown Court, is contained in section 18 of that Act or in regulations made under section 19 of that Act (awards of party and party costs in criminal proceedings)].
- (4) Rules made in pursuance of this section may amend or repeal all or any of the provisions of any enactment about costs between party and party in criminal or other proceedings in the Crown Court, being an enactment passed before, or contained in, the [^{F6}Part II of the Prosecution of Offences Act 1985].
- (5) Rules made in pursuance of this section shall have effect subject to the provisions of section 41 of, and Schedule 9 to, the ^{M1}Administration of Justice Act 1970 (method of enforcing orders for costs).

Textual Amendments

- F1** Words in s. 52(1) substituted (1.9.2004) by [The Courts Act 2003 \(Consequential Amendments\) Order 2004 \(S.I. 2004/2035\), art. 3, Sch. para. 12\(a\)](#) (with art. 2(2))
- F2** Words in s. 52 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148, Sch. 11 para. 26\(1\)\(2\); S.I. 2009/1604, art. 2\(d\)](#)
- F3** S. 52(2A) inserted (1.10.1991) by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\), s. 4\(2\); S.I. 1991/1883, art. 2](#)
- F4** Words substituted by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\), s. 31\(5\), Sch. 1 para. 9](#)
- F5** Words substituted by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\), s. 31\(5\), Sch. 1 para. 9](#)
- F6** Words substituted by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\), s. 31\(5\), Sch. 1 para. 10](#)
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Marginal Citations

- M1** [1970 c. 31.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)