
STATUTORY INSTRUMENTS

1986 No. 1335

The Costs in Criminal Cases (General) Regulations 1986

PART IV

MISCELLANEOUS APPLICATIONS OF THE ACT

Application of sections 16, 17 and 18 of the Act

14.—(1) Sections 17 and 18 of the Act shall apply to proceedings in the Crown Court in respect of a person committed by a magistrates' court to that Court—

- (a) with a view to his being sentenced for an indictable offence in accordance with section 42 of the Powers of Criminal Courts Act 1973(1); or
- (b) with a view to his being sentenced by the Crown Court under section 6(6) or 9(3) of the Bail Act 1976(2) or
- (c) with a view to the making of a hospital order with an order restricting his discharge under Part III of the Mental Health Act 1983,

as they apply where a person is convicted in proceedings before the Crown Court.

(2) Section 18 of the Act shall apply to proceedings in the Crown Court—

- (a) in respect of a person committed by a magistrates' court as an incorrigible rogue under section 5 of the Vagrancy Act 1824(3) as if he were committed for trial before the Crown Court and as if the committing court were examining justices; and
- (b) in respect of an appeal under section 14 of the Vagrancy Act 1824(4) as if the hearing of the appeal were a trial on indictment and as if the magistrates' court from which the appeal was brought were examining justices.

(3) Section 18 of the Act shall apply to proceedings in a magistrates' court or the Crown Court—

- (a) for dealing with an offender under section 6, 8 or 10 of the Powers of Criminal Courts Act 1973(5) (probation orders and orders for conditional discharge);
- (b) under section 16 or 17 of the Powers of Criminal Courts Act 1973(6) (community service orders);

(1) , section 42 was amended by the Magistrates' Courts Act 1980 (c. 43), Schedule 7, paragraph 121 and by the Criminal Justice Act 1982 (c. 48), Schedule 14, paragraph 34.

(2) section 6 was amended by the Criminal Justice Act 1982 (c. 48), sections 37, 38 and 46 and section 9 was amended by the Magistrates' Courts Act 1980 (c. 43), section 32(2).

(3) section 5 was amended by the Criminal Justice Act 1948 (c. 58), section 83(3), Schedule 10, by the Criminal Justice Act 1967 (c. 80), Schedule 6, paragraph 1, by the Courts Act 1971 (c. 23), Schedule 8 Part II, paragraph 5 and by the Criminal Justice Act 1982 (c. 48), Schedule 14, paragraph 1.

(4) Section 14 was amended by the Courts Act 1971 (c. 23), Schedule 8 Part II, paragraph 5.

(5) Section 6 was amended by the Criminal Justice Act 1982 (c. 48), section 39, Schedule 4, Schedule 14, paragraph 30 and by S.I. 1984/447 and section 10 was amended by the Criminal Procedure (Scotland) Act 1975 (c. 21), Schedule 9, paragraph 50.

(6) Section 16 was amended by the Criminal Justice Act 1982 (c. 48), section 39, Schedule 4 and by S.I. 1984/447 and section 17 was amended by the Criminal Law Act (c. 45), Schedule 12 and by the Criminal Justice Act 1982 (c. 48), Schedule 12, paragraph 2.

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- (c) under section 23(1) or 27 of the Powers of Criminal Courts Act 1973(7) or section 47 of the Criminal Law Act 1977(8) for dealing with an offender in respect of a suspended or partially suspended sentence or for breach of a suspended sentence supervision order; or
- (d) under section 19(5) of the Criminal Justice Act 1982 for dealing with an offender in respect of a breach of an attendance centre order,

as if the offender had been tried in those proceedings for the offence for which the order was made or the sentence passed.

(4) Section 16 of the Act shall apply to proceedings in a magistrates' court or the Crown Court in which it is alleged that an offender required to enter into a recognisance to keep the peace or be of good behaviour has failed to comply with a condition of that recognisance, as if that failure were an indictable offence.

(7) Section 23 was amended by the Criminal Justice Act 1982 (c. 48), Schedule 16 and section 27 was amended by the Criminal Justice Act 1982 (c. 48), section 39, Schedule 4 and by S.I. 1984/447.

(8) section 47 was amended by the Criminal Justice Act 1982 (c. 48), section 30.