*Draft Regulations laid before Parliament under section 29(1B) of the Prosecution of Offences Act 1985, for approval by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

# 2013 No.

# CRIMINAL LAW, ENGLAND AND WALES

## The Costs in Criminal Cases (Legal Costs) (Exceptions) Regulations 2013

| | |
|---|---|
| *Made - - - -* | *** |
| *Coming into force - -* | *27th January 2014* |

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by sections 16A(6) and 29(2) of the Prosecution of Offences Act 1985(**1**).

In accordance with section 29(1B)(**2**) of that Act, a draft of this instrument has been laid before and approved by a resolution of each House of Parliament.

### Citation and commencement

**1.** These Regulations may be cited as the Costs in Criminal Cases (Legal Costs) (Exceptions) Regulations 2013 and come into force on 27th January 2014.

### Amendments to the Prosecution of Offences Act 1985

**2.**—(1) Section 16A of the Prosecution of Offences Act 1985 (defendants' costs orders: legal costs) is amended as follows.

(2) In subsection (2), for "or C" substitute ", C or D".

(3) After subsection (5) insert—

"(5A) Condition D is that—

(a) the accused is an individual,

(b) the order is made under section 16(2),

(c) the legal costs were incurred in relevant Crown Court proceedings, and

(**1**) 1985 c. 23. Section 16A was inserted, and 29(2) was amended, by paragraphs 3 and 8 respectively of Schedule 7 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10).

(**2**) Section 29(1B) was inserted by paragraph 8(2) of Schedule 7 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012.