

- (3) The court shall have full power to determine by whom and to what extent the costs are to be paid.
- (4) In any criminal or civil proceedings, the court may disallow or (as the case may be) order the attorney-at-law or foreign lawyer concerned to meet the whole of any wasted costs or such part of them as may be determined in accordance with the rules of court.
- (5) Costs, including wasted costs, may be awarded to or against the Crown.
- (6) A costs certificate made by a taxing officer shall be enforceable as if it were a judgement or order of the court.
- (7) In this section -
- “proceedings” includes the administration of estates and trusts and insolvency proceedings;
- “wasted costs” means any costs incurred by a party -
- (a) as a result of any improper, unreasonable or negligent act or omission on the part of any attorney-at-law or foreign lawyer or any employee of such attorney-at-law or foreign lawyer; or
 - (b) which, in the light of any such act or omission occurring after they were incurred, the court considers it is unreasonable to expect that party to pay.”.

Passed by the Legislative Assembly the 4th day of July, 2001.

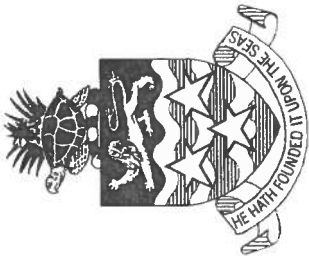
MABRY S. KIRKCONNELL

Speaker.

W. EBANKS

Acting Clerk of the Legislative Assembly.

CAYMAN ISLANDS



Supplement No. 1 published with Gazette No. 20 dated 24 September, 2001.

THE JUDICATURE (AMENDMENT) (COSTS) LAW, 2001
(LAW 17 OF 2001)

CAYMAN ISLANDS

Law 17 of 2001.

I Assent

P.J. SMITH

Governor.

13 September, 2001

A LAW TO AMEND THE JUDICATURE LAW (1995 REVISION) TO CLARIFY AND EXTEND THE JURISDICTION OF THE COURT OF APPEAL AND THE GRAND COURT TO MAKE ORDERS FOR COSTS

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Judicature (Amendment) (Costs) Law, 2001.

2. The Judicature Law (1995 Revision) is amended by repealing section 24 and substituting the following section -

24. (1) Subject to the provisions of this or any other Law and to rules of court, the costs of and incidental to all civil proceedings in -
(a) the Court of Appeal; and
(b) the Grand Court,
shall be in the discretion of the relevant court.

(2) Without prejudice to any general power to make rules of court, such rules may make provisions for regulating matters relating to the costs of those proceedings including, in particular, the entitlement to costs, the taxation of costs, the powers of taxing officers and the powers of judges to review decisions of taxing officers.

Repeal and substitution of section 24 of the Judicature Law (1995 Revision) - costs

(3) The court shall have full power to determine by whom and to what extent the costs are to be paid.

(4) In any criminal or civil proceedings, the court may disallow or (as the case may be) order the attorney-at-law or foreign lawyer concerned to meet the whole of any wasted costs or such part of them as may be determined in accordance with the rules of court.

(5) Costs, including wasted costs, may be awarded to or against the Crown.

(6) A costs certificate made by a taxing officer shall be enforceable as if it were a judgement or order of the court.

(7) In this section -

“proceedings” includes the administration of estates and trusts and insolvency proceedings;

“wasted costs” means any costs incurred by a party -

(a) as a result of any improper, unreasonable or negligent act or omission on the part of any attorney-at-law or foreign lawyer or any employee of such attorney-at-law or foreign lawyer; or

(b) which, in the light of any such act or omission occurring after they were incurred, the court considers it is unreasonable to expect that party to pay.”.

Passed by the Legislative Assembly the 4th day of July, 2001.

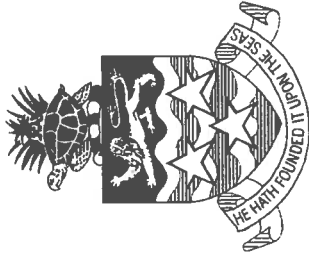
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