



Office of Hon Chester Borrows

Minister for Courts
Associate Minister of Justice
Associate Minister for Social Development

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L Alexander
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Dear L Alexander

REGARDING COSTS FOR COURT HEARINGS

Thank you for your Official Information Act request relating to costs for court hearings, submitted via fyi.org.nz.

In your request, you ask for information regarding the costs arising from fines disputes. If an infringement fine is disputed through a court hearing, you are correct that unsuccessful defendants can be ordered to pay costs in addition to the original fine as a result of this hearing. An unsuccessful defendant can be ordered to pay court costs of up to \$130, which are added at the court's discretion.

You also ask what happens as a result of these hearings when the prosecuting authority is unsuccessful. Section 21(9) of Summary Proceedings Act 1957 sets out that an order for the aforementioned court costs of up to \$130 can only be made against the defendant and not the prosecuting authority. However, the court still has the discretion to order costs against the prosecuting authority where appropriate under the Costs in Criminal Cases Act 1967.

Please note that this response should not be taken as legal advice, and that any advice on your own legal position should be sought from an independent source.

Thank you for contacting me with your query, I hope this information is of assistance.

Yours sincerely



Hon Chester Borrows
Minister for Courts

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