

Chief Registrar v Bukarau (No 2) - Ex Tempore Costs
ILSCJ04/2016; [2016] FJILSC 7 (15 June 2016)

This summary is not intended to be a substitute for the reasons of the Independent Legal Services Commission or to be used in any later consideration of the Commission's reasons

Facts

See *Chief Registrar v Bukarau (No 1)* [2016] FJILSC 2 (7 June 2016).

Judgment

In determining the quantum of costs to be awarded to the Chief Registrar, the Commissioner emphasised that the object of a cost order is not to punish a party. Rather, it serves to compensate the Chief Registrar and should not exceed the costs that were actually or reasonably incurred (see *R v Northallerton Magistrates Court, ex parte Dove* (1999) 163 JP 894). Additionally, the Commissioner noted that he has the power to issue two cost orders simultaneously, each for different purposes, namely:

1. to compensate the Chief Registrar for the time and expense of bringing the application; and
2. to compensate the Commission for the resources spent conducting the hearings and dealing with the practitioner.

Ultimately, Mr Bukarau was ordered to pay two sums of \$250 to the Chief Registrar and the Commission respectively.