



British Columbia Court of Appeal
Practice Directive (Civil)
Title: Costs

Re-Issued: 11 July 2022

Effective: 18 July 2022

Cite as: Costs (Civil Practice Directive, 18 July 2022)

The purpose of this practice directive is to explain the Court of Appeal's practice and the parties' responsibilities with respect to awards of costs. An award of costs in the Court of Appeal is governed by ss. 44-46 of the *Court of Appeal Act* and Rules 39 – 40 of the *Court of Appeal Rules*.

The Court does not usually refer to costs in reasons for judgment. When preparing a court order arising from an appeal, the successful party must insert a term for costs in the final order. [Form 11](#) provides the language for this direction. Disputes on the issue of costs are dealt with by Rule 40 in writing only, unless the Court otherwise directs.

If a costs dispute is raised before the Registrar when settling an order, the Registrar may settle the dispute or refer the dispute to the division that heard the appeal. The Registrar will not assess a bill of costs in the absence of a costs term included in the order.

If a party has mistakenly entered an order without a direction for costs, they may apply pursuant to section 43 of the *Act* to amend the order to provide for costs.

Counsel are reminded of the particular provisions for costs in s. 37 of the *Class Proceedings Act*.

Chief Justice R.J. Bauman
Court of Appeal for British Columbia

History:

Replaces the Civil and Criminal Practice Directive titled *Costs*, dated 30 May 2013.