

## Expenses of investigation of company ownership

766. (1) On the application of the Director, the court may direct a company that is the subject of an investigation under section 764 to repay to the Director so much of the expenses of and incidental to the investigation as the court directs.

(2) Without prejudice to subsection (1) but subject to subsection (3), where a court enters a conviction or makes an order in a case set out in subsection (3) the court may, in the same proceedings, order the person referred to in subsection (3) to pay to the Director so much of the expenses of and incidental to an investigation under section 764 as the court directs.

(3) The cases referred to in subsection (2) are where the court—

(a) convicts the person on indictment of an offence on a prosecution instituted as a result of the investigation;

(b) orders the person to pay damages or restore any property in proceedings brought as a result of the investigation; or

(c) awards damages to or orders the restoration of property to the person in proceedings brought as a result of the investigation.

(4) Where the court makes an order for payment of expenses under subsection (2) against a person to whom subsection (3)(c) relates—

(a) the court shall not order payment of expenses that are more than one-tenth of the amount of the damages awarded or of the value of the property restored, as the case may be, and

(b) the order shall not be executed until the person concerned has received the damages or the property has been restored.