



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART VII

FURTHER POWERS OF COURTS

Restitution orders

149 Restitution orders: supplementary

- (1) The following provisions of this section shall have effect with respect to section 148 above.
- (2) The powers conferred by subsections (2)(c) and (4) of that section shall be exercisable without any application being made in that behalf or on the application of any person appearing to the court to be interested in the property concerned.
- (3) Where an order is made under that section against any person in respect of an offence taken into consideration in determining his sentence—
 - (a) the order shall cease to have effect if he successfully appeals against his conviction of the offence or, if more than one, all the offences, of which he was convicted in the proceedings in which the order was made;
 - (b) he may appeal against the order as if it were part of the sentence imposed in respect of the offence or, if more than one, any of the offences, of which he was so convicted.
- (4) Any order under that section made by a magistrates' court shall be suspended—
 - (a) in any case until the end of the period for the time being prescribed by law for the giving of notice of appeal against a decision of a magistrates' court;
 - (b) where notice of appeal is given within the period so prescribed, until the determination of the appeal;

Status: This is the original version (as it was originally enacted).

but this subsection shall not apply where the order is made under section 148(2)(a) or (b) and the court so directs, being of the opinion that the title to the goods to be restored or, as the case may be, delivered or transferred under the order is not in dispute.