



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 1

PREMISES WHERE DRUGS USED UNLAWFULLY

10 Compensation

- (1) This section applies to any person who incurs financial loss in consequence of—
 - (a) the issue of a closure notice, or
 - (b) a closure order having effect.
- (2) A person to whom this section applies may apply to—
 - (a) the magistrates' court which considered the application for a closure order;
 - (b) the Crown Court if the closure order was made or extended by an order made by that Court on an appeal under section 6.
- (3) An application under this section must not be entertained unless it is made not later than the end of the period of three months starting with whichever is the later of—
 - (a) the day the court decides not to make a closure order;
 - (b) the day the Crown Court dismisses an appeal against a decision not to make a closure order;
 - (c) the day a closure order ceases to have effect.
- (4) On an application under this section the court may order the payment of compensation out of central funds if it is satisfied—
 - (a) that the person had no connection with the use of the premises as mentioned in section 1(1),
 - (b) if the person is the owner or occupier of the premises, that he took reasonable steps to prevent the use,
 - (c) that the person has incurred financial loss as mentioned in subsection (1), and
 - (d) having regard to all the circumstances it is appropriate to order payment of compensation in respect of that loss.

Status: This is the original version (as it was originally enacted).

- (5) Central funds has the same meaning as in enactments providing for the payment of costs.