

*These notes refer to the Policing and Crime Act 2009
(c.26) which received Royal Assent on 12 November 2009*

POLICING AND CRIME ACT 2009

EXPLANATORY NOTES

TERRITORIAL EXTENT AND APPLICATION

Part 2 – Sexual Offences and Sex Establishments

Closure orders: sexual offences

Section 21 and Schedule 2 Closure orders

Compensation

169. New section 136O allows for compensation payments to be made by the court out of central funds where the court is satisfied that a person has suffered financial loss in consequence of a closure notice or order.
170. Subsections (2) to (4) set out the procedure for applying for compensation and imposes a time limit for the making of such an application.
171. Subsection (5) allows the court to order the payment of compensation where it is satisfied that:
 - a person has suffered financial loss as a result of a closure notice being issued or a closure order having effect;
 - the person is not associated with the use of the premises for activities related to specified pornography or prostitution offences;
 - if the person is the owner or occupier, that the person took reasonable steps to prevent that use; and
 - it is appropriate in all the circumstances to compensate the person for that loss.