



Sexual Offences Act 2003

2003 CHAPTER 42

[^{F1}PART 2A

CLOSURE ORDERS

Reimbursement of costs, compensation etc.

[^{F1}136O Compensation

- (1) A person who claims to have incurred financial loss in consequence of a closure notice or closure order may apply for compensation.
- (2) The application must be made—
 - (a) to the appropriate appeal court, if the closure order was made or extended by an order of that court on an appeal under section 136K;
 - (b) in any other case, to the magistrates' court which considered the application for a closure order.
- (3) In a case where a closure notice is issued but a closure order is not made, the application must not be entertained unless it is made before the end of the period of three months beginning with—
 - (a) the day the magistrates' court decides not to make a closure order, or
 - (b) if there is an appeal against that decision, the day the appropriate appeal court dismisses that appeal.
- (4) In a case where a closure order is made, the application must not be entertained unless it is made before the end of the period of three months beginning with the day the closure order ceases to have effect.
- (5) The court which hears the application may order the payment of compensation out of central funds if it is satisfied—
 - (a) that the person was not associated with the use of the premises for the activities in relation to which the first condition in section 136B [^{F2}or 136BA] was met,

Changes to legislation: Sexual Offences Act 2003, Section 136O is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) if the person is the owner or occupier of the premises, that the person took reasonable steps to prevent that 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.
- (6) In this section—
- (a) “appropriate appeal court” has the same meaning as in section 136K;
 - (b) “central funds” has the same meaning as in enactments providing for the payment of costs.
- (7) In the application of this section to Northern Ireland—
- (a) the reference in subsection (5) to “central funds” is to be read as a reference to monies provided by Parliament, and
 - (b) subsection (6)(b) is omitted.]

Textual Amendments

- F1** Pt. 2A inserted (E.W.N.I.) (1.4.2010 for E.W. and otherwise prosp.) by [Policing and Crime Act 2009](#) (c. 26), ss. 21(1), 116(1), [Sch. 2 para. 1](#) (with s. 21(2)); S.I. 2010/507, [art. 5\(t\)](#) (subject to art. 6)
- F2** Words in s. 136O(5)(a) inserted (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), [Sch. 6 para. 10](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 2(f)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)