



Coroners and Justice Act 2009

2009 CHAPTER 25

PART 7

CRIMINAL MEMOIRS ETC

Additional powers

167 Powers of court on repeat applications

- (1) This section applies if—
 - (a) a court makes an exploitation proceeds order (“the earlier order”) in respect of a person, and
 - (b) an application (“the later application”) is then made to the court for another exploitation proceeds order in respect of the same person.
- (2) The court may, for the purposes of the later application, adopt any finding of fact made by the court in connection with the earlier order.
- (3) Subsection (4) applies where, on the later application, the court is satisfied as mentioned in section 155(1).
- (4) If, or to the extent that, the earlier order was in respect of benefits derived from the same source as the benefits to which the later application relates, the court must when making a determination under section 162 in relation to the later application, have regard to any determination made by it under that section in connection with the earlier order.
- (5) For the purposes of subsection (4) benefits are from the same source if they consist of benefits derived by the respondent from (or from steps taken or to be taken with a view to) the same exploitation of material related to the same relevant offence.

Commencement Information

11 S. 167 in force at 6.4.2010 by S.I. 2010/816, art. 2, Sch. para. 11

Status:

Point in time view as at 06/04/2010.

Changes to legislation:

There are currently no known outstanding effects for the Coroners and Justice Act 2009, Section 167.