



# Psychoactive Substances Act 2016

## 2016 CHAPTER 2

### *Powers for dealing with prohibited activities*

#### **24 Access prohibitions: reimbursement of costs**

- (1) A person listed in subsection (2) that incurs expenditure for the purpose of clearing, securing or maintaining premises in respect of which an access prohibition is in effect (see section 22(6)) may apply to the court for an order under this section.
- (2) Those persons are—
  - (a) a local policing body;
  - (b) the Scottish Police Authority;
  - (c) the chief constable of the Police Service of Northern Ireland;
  - (d) the British Transport Police Authority;
  - (e) the Director General of the National Crime Agency;
  - (f) the Secretary of State by whom general customs functions are exercisable;
  - (g) a local authority.
- (3) On an application under this section the court may make whatever order it considers appropriate for the reimbursement (in full or in part) by the person against whom the order imposing the access prohibition was made of the expenditure mentioned in subsection (1).
- (4) An application for an order under this section may not be heard unless it is made before the end of the period of 3 months starting with the day on which the access prohibition ceases to have effect.
- (5) An application under this section must be served on the person against whom the order imposing the access prohibition was made.
- (6) In this section “the court” means—
  - (a) in a case where the prohibition order or the premises order imposing the access prohibition was made by a court in England and Wales or Northern Ireland, the court that made the order, except where paragraph (b) or (c) applies;
  - (b) where the court that made the order was the Court of Appeal, the Crown Court;

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*Status: This is the original version (as it was originally enacted).*

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- (c) where the court that made the order was a youth court but the person against whom the order was made is aged 18 or over at the time of the application, a magistrates' court or, in Northern Ireland, a court of summary jurisdiction;
- (d) in a case where the prohibition order or the premises order imposing the access prohibition was made by a court in Scotland, the sheriff.