



# Cluster Munitions (Prohibitions) Act 2010

## 2010 CHAPTER 11

### *Securing destruction of prohibited munitions*

#### **17 Compensation for destruction**

- (1) This section applies if a person (P) claims that—
  - (a) a prohibited munition has been destroyed under section 14 or 16,
  - (b) P had an interest which was materially affected by the destruction,
  - (c) P sustained loss as a result of the destruction, and
  - (d) no notice was served on P under section 14 or (as the case may be) section 15 (whether or not one was served on any other person).
- (2) P may make an application for compensation to the High Court or, in Scotland, the Court of Session.
- (3) If the Court finds that P's claim is justified, the Court may order the Secretary of State to pay to P such amount (if any) by way of compensation as the Court considers just.
- (4) If the Court believes that the prohibited munition would have been destroyed even if a notice had been served on P under the section concerned, the Court must not order compensation to be paid under this section.

**Status:**

Point in time view as at 25/03/2010.

**Changes to legislation:**

There are currently no known outstanding effects for the Cluster Munitions (Prohibitions) Act 2010, Section 17.