



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

Changes to legislation:

Coroners and Justice Act 2009, Section 167 is up to date with all changes known to be in force on or before 25 June 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.

[View outstanding changes](#)

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. 47(2)(kb) inserted by [2024 c. 21 s. 40](#)