



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.