



Serious Crime Act 2015

2015 CHAPTER 9

PART 4

SEIZURE AND FORFEITURE OF DRUG-CUTTING AGENTS

Supplementary

64 Compensation

- (1) If no forfeiture order is made in respect of a substance retained under this Part, the person to whom it belongs may make an application to a magistrates' court for compensation.
- (2) If the court is satisfied that the applicant has suffered loss as a result of the retention of the substance, the court may order compensation to be paid to the applicant.
- (3) Subject to subsection (4), the amount of compensation to be paid is the relevant proportion of the value of the substance.
For these purposes—
 - (a) the “relevant proportion” is whatever proportion (not exceeding 100%) the court thinks is reasonable;
 - (b) the “value” of the substance is the amount that it would cost the applicant to acquire the substance at the time when the court makes the order.
- (4) If the court thinks that, by reason of exceptional circumstances, the value of the substance would not be adequate compensation, it may order payment of whatever larger amount it thinks reasonable.
- (5) The fund from which, or person by whom, the compensation is to be paid depends on the person by whom the substance was seized, as follows—

Status: This is the original version (as it was originally enacted).

<i>Person by whom substance seized</i>	<i>Fund from which or person by whom compensation payable</i>
A constable of a police force maintained by a local policing body	The police fund from which the expenses of the police force are met
A constable of the Police Service of Scotland	The Scottish Police Authority
A constable of the Police Service of Northern Ireland	The Chief Constable of the Police Service of Northern Ireland
A constable of the British Transport Police Force	The Chief Constable of the British Transport Police Force
A constable of the Ministry of Defence Police	The Secretary of State
A National Crime Agency officer	The Director General of the National Crime Agency
A person designated as a general customs official under section 3(1) of the Borders, Citizenship and Immigration Act 2009	The Secretary of State