
STATUTORY INSTRUMENTS

1997 No. 1774

The Police (Health and Safety) (Northern Ireland) Order 1997

Payment of damages, compensation and fines out of certain funds

7.—(1) There shall be paid out of the relevant fund—

- (a) any damages or costs awarded against the responsible officer in any proceedings brought against him by virtue of Article 47A of the Health and Safety at Work (Northern Ireland) Order 1978 in respect of a breach of health and safety regulations and any costs incurred by him in any such proceedings so far as not recovered by him in the proceedings;
- (b) any sum required in settlement of any claim made against the responsible officer by virtue of Article 47A of that Order in respect of an alleged breach of health and safety regulations, if the settlement is approved by the relevant authority;
- (c) any compensation or costs awarded against the responsible officer in any proceedings brought against him—
 - (i) under Article 71 of the Employment Rights (Northern Ireland) Order 1996 by virtue of Article 72A of that Order; or
 - (ii) under Article 145 of that Order by virtue of Article 169A of that Order, and any costs incurred by him in any such proceedings so far as not recovered by him in the proceedings; and
- (d) any sum required in settlement of any claim made against the responsible officer as mentioned in head (i) or (ii) of sub-paragraph (c), if the settlement is approved by the relevant authority.

(2) Any fine imposed on the responsible officer on conviction of an offence under Part II of the Health and Safety at Work (Northern Ireland) Order 1978 by virtue of Article 47A of that Order, any costs ordered to be paid by him on conviction of such an offence and any costs incurred by him in connection with proceedings for such an offence may, with the approval of the relevant authority, be paid out of the relevant fund.

(3) In this Article—

“health and safety regulations” has the same meaning as in Part II of the Health and Safety at Work (Northern Ireland) Order 1978;

“the relevant authority” means—

- (a) in relation to the Chief Constable of the Royal Ulster Constabulary, the Police Authority for Northern Ireland;
- (b) in relation to the Director General of the National Criminal Intelligence Service, the Service Authority for the National Criminal Intelligence Service; and
- (c) in relation to any other responsible officer, the authority by whom the constables in question are paid;

“the relevant fund” means—

- (a) in relation to the Director General of the National Criminal Intelligence Service, the NCIS service fund; and

- (b) in relation to any other responsible officer, money provided by the relevant authority;
“the responsible officer” means—
- (a) in relation to the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve, the Chief Constable of the Royal Ulster Constabulary;
- (b) in relation to the National Criminal Intelligence Service, its Director General; and
- (c) in relation to any other body of constables, the person who has the direction and control of the body of constables in question.