

## SCHEDULES

### SCHEDULE 18

Amendments relating to Article 15(1) to (4) etc

### PART 1

Acts of the Parliament of the United Kingdom

#### *Damages Act 1996*

**54.** Amend the Damages Act 1996(1) as follows.

#### **Commencement Information**

**II** Sch. 18 para. 54 in force at 12.4.2010, see [art. 1\(2\)](#)

**55.** In section 1 (assumed rate of return on investment of damages) after subsection (5) insert—

“(6) In the application of this section to Northern Ireland—

(a) for the reference to the Lord Chancellor in subsections (1) and (4) there is substituted a reference to the Department of Justice in Northern Ireland; and

(b) in subsection (4)—

(i) for the reference to the Treasury there is substituted a reference to the Department of Finance and Personnel in Northern Ireland; and

(ii) for “by statutory instrument” to “Parliament” there is substituted “by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979, and is subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954”.”

#### **Commencement Information**

**I2** Sch. 18 para. 55 in force at 12.4.2010, see [art. 1\(2\)](#)

**56.** In section 2A (periodical payments: supplementary) in subsection (6)—

(a) at the end of paragraph (a) omit “and”;

(b) after paragraph (b) insert—

“(c) a reference to the Lord Chancellor shall be taken as a reference to the Department of Justice in Northern Ireland, and

(1) 1996 c.48. Section 1(5) was substituted by [S.I. 1999/1820](#). Sections 2A and 2B were inserted by section 100 of the Courts Act 2003 (c.39). Section 2A was amended by [S.I. 2005/1452 \(N.I. 7\)](#).

**Changes to legislation:** There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Damages Act 1996. (See end of Document for details)

- (d) for subsection (3)(a) and (b) of this section there is substituted “shall be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979; and is subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954”.

**Commencement Information**

**I3** Sch. 18 para. 56 in force at 12.4.2010, see [art. 1\(2\)](#)

**57.** In section 2B (variation of orders and settlements) after subsection (7) insert—

- “(8) In the application of this section to Northern Ireland—
  - (a) a reference to the Lord Chancellor shall be taken as a reference to the Department of Justice in Northern Ireland;
  - (b) in subsection (6)(a) for “statutory instrument” substitute “statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(2)”;
  - (c) in subsection (6)(c) for “each House of Parliament” substitute “the Northern Ireland Assembly”;
  - (d) section 41(3) of the Interpretation Act (Northern Ireland) 1954(3) applies for the purposes of subsection (6)(c) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.”

**Commencement Information**

**I4** Sch. 18 para. 57 in force at 12.4.2010, see [art. 1\(2\)](#)

(2) [S.I. 1979/1573 \(N.I. 12\)](#).

(3) Section 41(3) was substituted by [S.I. 1999/663](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Damages Act 1996.