

1992 No. 249

## COUNTY COURTS

**County Court (Amendment No. 2) Rules  
(Northern Ireland) 1992***Made* . . . . . 3rd June 1992*Coming into operation* . . . . . 1st July 1992

We, the County Court Rules Committee, appointed by the Lord Chancellor under Article 46 of the County Courts (Northern Ireland) Order 1980(a), in exercise of the powers conferred on us by Article 47 of that Order, and in accordance with Articles 12, 14 and 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977(b) and Articles 14, 15, 16 and 21 of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988(c), hereby make the following rules:—

*Citation*

1. These Rules may be cited as the County Court (Amendment No. 2) Rules (Northern Ireland) 1992.

*Interpretation*

2. In these Rules a reference to an Order, an Appendix, a Table or a Form by number is a reference to that Order, Appendix, Table or Form as numbered in the County Court Rules (Northern Ireland) 1981(d).

*Criminal Damage, Criminal Injuries to the Person and Emergency Provisions Compensation Appeals*

3.—(1) The new Order set out in Schedule 1 shall be inserted after Order 53.

(2) Appendix 1 shall be amended by inserting after Form 323 the new Forms 324 to 388 set out in Schedule 2.

*Revocations*

4. The Statutory Rules mentioned in Schedule 3 are revoked to the extent specified in the third column of that Schedule.

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(a) S.I. 1980/397 (N.I. 3)  
 (b) S.I. 1977/1247 (N.I. 14)  
 (c) S.I. 1988/793 (N.I. 4)  
 (d) S.R. 1981 No. 225

We the undersigned members of the County Court Rules Committee, having by virtue of the powers vested in us in this behalf made the foregoing rules, do hereby certify the same under our hand and submit them to the Lord Chancellor accordingly.

*John K. Pringle*  
*Barry Valentine*  
*P. Kelly*  
*Bernard McCloskey*  
*Brian F. Walker*  
*K. G. Nixon*

Dated 5th May 1992.

After consultation with the Lord Chief Justice I allow these rules which shall come into operation on 1st July 1992.

Dated 3rd June 1992.

*Mackay of Clashfern, C.*

RULES TO BE INSERTED AS ORDER 54  
IN THE COUNTY COURT RULES (NORTHERN IRELAND) 1981

## ORDER 54

**Criminal Damage, Criminal Injuries to the Person and Emergency  
Provisions Compensation Appeals**

## PART I

## INTERPRETATION

*Interpretation*

1.—(1) In this Order—

“the 1977 Order” means the Criminal Damage (Compensation) (Northern Ireland) Order 1977(a);

“the 1988 Order” means the Criminal Injuries (Compensation) (Northern Ireland) Order 1988(b);

“the 1978 Act” means the Northern Ireland (Emergency Provisions) Act 1978(c);

“the 1991 Act” means the Northern Ireland (Emergency Provisions) Act 1991(d).

(2) Without prejudice to section 24 of the Interpretation Act (Northern Ireland) 1954(e), service of any document under this Order may be by registered post or by the first class postal recorded delivery service and, in either case, using the advice of delivery form.

(3) In the application of this Order to an application for compensation under the 1977 Order a reference to a determination includes a reference to a decision or order.

(4) For the purposes of appeals under the 1978 Act:

(a) references in this Order and in Forms 373 to 386 to section 63, section 63(2), section 63(3) and section 63(4) of the 1991 Act shall be construed as references to section 28, section 28(2), section 28(4) and section 28(5) of the 1978 Act respectively; and

(b) a reference in the Forms to any other provision of the 1991 Act shall be construed as a reference to the corresponding provision in the 1978 Act.

## PART II

## APPEALS TO THE COUNTY COURT

*Lodging of certain appeals to the county court*

2.—(1) This rule shall apply to an appeal to the county court under—

(a) Article 15 of the 1977 Order;

(b) Article 16 of the 1988 Order;

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- (a) S.I. 1977/1247 (N.I. 14)  
 (b) S.I. 1988/793 (N.I. 4)  
 (c) 1978 c. 5  
 (d) 1991 c. 24  
 (e) 1954 c. 33 (N.I.)

(c) Section 28(4) or (5) of the 1978 Act and for the purposes of appeals under the 1978 Act references in this Order and in Forms 373 to 386 to section 63(3) of the 1991 Act shall be construed as references to section 28(4) of the 1978 Act and references to section 63(4) of the 1991 Act shall be construed as references to section 28(5) of the 1978 Act;

(d) Section 63(3) or (4) of the 1991 Act.

(2) Subject to any directions under Article 4 of the Order, an appeal shall be heard at the ordinary sittings of the county courts mentioned in paragraph (3) at such times as the Lord Chancellor may appoint in accordance with Article 6 of the Order.

(3) An appeal to which this rule applies shall—

(a) in respect of applications for compensation under the 1977 Order, lie to the county court for the division specified in Article 2(3) of the 1977 Order;

(b) in respect of applications for compensation under the 1980 Order, lie to the county court for the division in which the criminal injury was sustained; and

(c) in respect of applications for compensation under the 1978 Act or the 1991 Act, lie to the county court for the division in which the property taken, occupied, destroyed, damaged or otherwise interfered with is situated or, in the case of moveable property, was situated at the time when the act giving rise to the claim for compensation was committed.

(4) An appeal shall be by notice in one of Forms 324 to 327, 347 or 373 to 375 as appropriate and the appellant shall serve a copy on the Secretary of State at the address of the department dealing with the application for compensation.

(5) The appellant shall lodge the appeal by delivering the notice to the chief clerk at his office duly endorsed as to service and attach to it—

(a) any certificate of posting;

(b) a copy of any notice of determination served on the appellant under Article 15(1) of the 1977 Order, Article 12(1) or (2) of the 1988 Order or section 63(3) or (4) of the 1991 Act as appropriate endorsed with a certificate as to the date of service of the notice on him;

(c) a copy of any written notice of intention to apply for compensation served on the Secretary of State in accordance with Article 7(1) of the 1977 Order or Article 5(4)(b) of the 1988 Order; and

(d) a copy of any written form of application for compensation made under Article 8 of the 1977 Order, Article 4 of the 1988 Order or section 63(2) of the 1991 Act.

(6) The notice shall state whether the appeal is against the entire determination or only against so much thereof as the appellant disputes and in every case the grounds of appeal.

(7) Nothing in this rule shall prevent the court from considering other items specified in the determination or from considering grounds of appeal not referred to in the notice.

(8) The appellant shall request the chief clerk to enter the appeal for hearing by delivering to the chief clerk at his office a certificate of readiness in Form 346 and the appellant shall serve a copy on the Secretary of State at the address of the department dealing with the application for compensation.

(9) Upon receipt of a certificate of readiness the chief clerk shall enter the appeal for hearing at the first sitting he deems practicable, and shall cause notice of such hearing to be given to the parties.

(10) Without prejudice to paragraph (7), the chief clerk may enter an appeal for hearing and shall cause notice of such hearing to be given to the parties notwithstanding that a certificate of readiness has not been delivered by the appellant.

(11) A certificate for the purposes of section 25 of the Crown Proceedings Act 1947(a) of an order allowing an appeal under Article 15 of the 1977 Order, Article 16 of the 1988 Order or section 63 of the 1991 Act shall be in one of Forms 328 to 331, 348 or 376 to 377 as appropriate and an order dismissing such appeal shall be in one of Forms 332 to 334, 349 or 378 to 381 as appropriate.

#### *Payment into court*

3.—(1) This rule shall apply to a payment into court made by virtue of—

- (a) Article 15(3) of the 1977 Order; or
- (b) Article 16(3) of the 1988 Order; or
- (c) paragraph (2) of this rule.

(2) The Secretary of State may make a payment into court in accordance with this rule in respect of a claim to compensation made under section 63 of the 1991 Act.

(3) Payment into court by the Secretary of State may be made at any time within 21 days from service of the copy of the notice of appeal upon him by lodging in court—

- (a) such sum of money as the Secretary of State thinks sufficient to satisfy so much of the appellant's claim to compensation under Article 3 of the 1977 Order, Article 3 of the 1988 Order or section 63 of the 1991 Act as is in dispute and hence the subject of the appeal;
- (b) such sum of money as the Secretary of State thinks sufficient in respect of the costs and expenses incurred by the appellant in making out and verifying his claim to compensation;
- (c) a written undertaking to pay to the appellant any costs or expenses reasonably incurred by him between the date on which the Secretary of State served on him his determination and the date of lodgment.

(4) Notice to the appellant in Form 335, 350 or 382 as appropriate of payment into court by the Secretary of State shall be given at the time of such lodgment.

(5) Money shall be paid into court by lodging it in the County Court Bank to the credit of the Criminal Injuries Account in accordance with Order 45, Part I and where any money is lodged a copy of the notice sent to the appellant under paragraph (4) shall be lodged with the chief clerk and a copy shall also be lodged with the bank, such last-mentioned copy being headed with the additional words "Criminal Injuries Account".

(6) Money paid into court shall remain in court subject to further order unless the appellant elects to take it out as provided by this rule.

(7) The appellant may, either before the expiration of a period of 21 days commencing on the date of service upon him of the notice in Form 335, 350 or 382 as appropriate or before the commencement of the sittings at which the appeal is to be heard, whichever first occurs, or subsequently with the consent of the Secretary of State, sign and serve on the Secretary of State and lodge with the chief clerk a notice in Form 336, 351 or 383 as appropriate accepting the amount in satisfaction of his claim.

(8) Subject to paragraph (11), where the money is accepted by the appellant under paragraph (7) all further proceedings in the appeal by the appellant shall be stayed and the money paid into court shall be paid out to the appellant without the

necessity of any decree or order of the court and the Secretary of State shall not be liable to any further costs other than those payable under the undertaking referred to in paragraph (3)(c).

(9) Where the costs and expenses referred to in paragraph (3)(c) are not agreed between the Secretary of State and the appellant, they shall be settled by the district judge subject to an appeal to the judge, notice of which appeal shall be served on the Secretary of State and the district judge not more than 2 days after the costs are so settled.

(10) The Secretary of State shall, within 14 days from the day on which the parties agree on the sum due under the undertaking referred to in paragraph (3)(c) or on which the sum is settled by the district judge or, as the case may be, determined by the judge, pay that sum to the appellant.

(11) Where notice of acceptance under paragraph (7) is served by, or on behalf of, an appellant under a legal disability—

- (a) the money paid into court shall not be paid out without an order of the judge;
- (b) a notice of intention to apply to the judge for approval of such acceptance shall also be served on the Secretary of State and lodged in the office of the chief clerk;
- (c) the application to the judge shall be made at the time the appeal would, if no notice of acceptance had been served, have been heard by the judge; and
- (d) the appellant shall be entitled to his costs of the application unless the judge otherwise directs.

(12) An order approving acceptance by a person under a disability in satisfaction of a sum lodged by the Secretary of State shall be in Form 337, 352 or 384 as appropriate.

*Costs where payment into court by Secretary of State not accepted*

4.—(1) Where money has been paid into court by the Secretary of State in accordance with this Order and the appellant does not serve notice of acceptance in accordance with Rule 3(7) and does not on appeal obtain an order for the recovery, in relation to such items in the decision or determination of the Secretary of State as are the subject of the appeal, of an amount of compensation or, where appropriate, any sum payable in respect of the amount payable in accordance with Rule 3(3)(b) greater than the amount paid into court, then, where the appellant is not under a legal disability, he shall not be entitled to any costs against the Secretary of State and shall be liable for the costs of the Secretary of State in such amount as the court may determine.

(2) Where the Secretary of State becomes entitled to costs under this rule such costs shall be paid to him out of the money paid into court before any payment out of the said money is made to the appellant.

*Payment into court not to be communicated to the judge*

5. Where money has been paid into court in accordance with this Order that fact shall not be communicated to the judge before the determination of the appeal.

*Form of order where notice of acceptance not served*

6. Where money has been paid into court by the Secretary of State and the appellant does not serve notice of acceptance in accordance with Rule 3(7), an order made on the appeal shall be in one of Forms 328, 338, 339, 353, 354, 355, 385 or 386 as appropriate.

*Lodgment and payment out*

7. All monies paid into the Criminal Injuries Account in the County Court Bank to be paid out under this Order shall be paid out by cheque signed by the chief clerk and drawn on the said account.

*Applications to the court for an order directing offender to reimburse to the Secretary of State whole or part of compensation paid under the 1977 Order or the 1988 Order*

8.—(1) An application by the Secretary of State for an order of reimbursement under Article 16 of the 1977 Order or Article 17 of the 1988 Order may be made by notice in Form 340 or 364 as appropriate at any time after the conviction of the offender and may be heard in respect of a claim for compensation under the 1977 Order at any ordinary sitting of the court for the division specified in Article 2(3) of the 1977 Order or in respect of a claim for compensation under the 1988 Order at any ordinary sitting of the court for the division in which the criminal injury was sustained.

(2) Except as provided by paragraph (4), such notice shall be served on the offender and a copy on the chief clerk not less than 15 days before the day appointed for the commencement of the sitting at which the application is to be heard.

(3) Upon receipt of such copy the chief clerk shall enter the application for hearing.

(4) Where on appeal to a county court an offender's conviction of an offence to which a criminal injury or criminal damage to property is directly attributable is affirmed, an application under Article 16(1) of the 1977 Order or Article 17(1) of the 1988 Order for the reimbursement of compensation may be made by the Secretary of State at the time of its affirmation, by furnishing the offender forthwith with a copy of the application made to the court.

(5) An order for reimbursement under Article 16(1) of the 1977 Order shall be in Form 341 and an order for reimbursement under Article 17(1) of the 1988 Order shall be in Form 365.

*Applications to vary orders for reimbursement*

9.—(1) An application under Article 16(4) of the 1977 Order or Article 17(4) of the 1988 Order by the Secretary of State or by an offender for the variation of an order for reimbursement shall be in Form 342 or 366 as appropriate and such application shall be served on the respondent and a copy served on the chief clerk within the same period as is specified in Rule 8(2) and shall be entered for hearing in the same manner as is provided by Rule 8(3).

(2) An order under Article 16(4) of the 1977 Order or Article 17(4) of the 1988 Order shall be in Form 343 or 367 as appropriate.

*Applications to the court for an order requiring victim to reimburse to the Secretary of State whole or part of compensation*

10.—(1) An application by the Secretary of State for an order of reimbursement under Article 17(4) of the 1977 Order or Article 18(4) of the 1988 Order may be made by notice in Form 340 or 371 as appropriate and may be heard at any ordinary sitting of the court for the division in which the criminal injury was sustained or the damaged property or any part of it is situated.

(2) Such notice shall be served on the person to whom the compensation has been paid and a copy on the chief clerk not less than 15 days before the day appointed for the commencement of the sitting at which the application is to be heard.

(3) Upon receipt of such copy the chief clerk shall enter the application for hearing.

(4) An order for reimbursement under Article 17(4) of the 1977 Order or Article 18(4) of the 1988 Order shall be in Form 341 or 372 as appropriate.

*Application of Order 28 to payment into court under Article 12(3) or 14(1)(ii) of the 1977 Order*

11. The provisions of Order 28 (Payment into court by Trustees) shall apply to payment into court under Article 12(3) or Article 14(1)(ii) of the 1977 Order with the following modifications—

- (a) in Rule 1(1) the reference to section 63 of the Trustee Act (Northern Ireland) 1958(a) shall be construed as a reference to Article 12(3) or Article 14(1)(ii) of the 1977 Order and Form 132 (Affidavit on Payment into Court under section 63 of the Trustee Act (Northern Ireland) 1958) may be modified as may be necessary;
- (b) in Rule 1(5) for the reference to Form 133 there shall be substituted a reference to Form 344; and
- (c) in Rule 1(6) for the reference to Form 134 there shall be substituted a reference to Form 345.

*Application of Order 28 to payment into court under Article 21(1) of the 1988 Order*

12. The provisions of Order 28 (Payment into court by Trustees) shall apply to payment into court under Article 21(1) of the 1988 Order with the following modifications—

- (a) in Rule 1(1) the reference to section 63 of the Trustee Act (Northern Ireland) 1958(a) shall be construed as a reference to the said Article 21(1) and Form 132 (Affidavit on Payment into Court under section 63 of the Trustee Act (Northern Ireland) 1958) may be modified as may be necessary;
- (b) in Rule 1(5) for the reference to Form 133 there shall be substituted a reference to Form 368; and
- (c) in Rule 1(6) for the reference to Form 134 there shall be substituted a reference to Form 369.

*Application of Order 28 to payment into court by Secretary of State in respect of a claim under the 1991 Act*

13.—(1) Where compensation is payable under an award by the county court on appeal under section 63(4) of the 1991 Act by the respondent under section 63 of the 1991 Act and—

- (i) the respondent receives notice that by virtue of any assignment or operation of law the rights of the appellant have passed to another person;
- (ii) the appellant is under a disability or out of the United Kingdom; or
- (iii) the address of the person entitled to compensation cannot be ascertained without undue expense or delay,

the respondent may pay the compensation into court.

(2) The provisions of Order 28 shall apply to payment into court under paragraph (1) with the following modifications—



- (a) in Rule 1(1) the reference to section 63 of the Trustee Act (Northern Ireland) 1958(a) shall be construed as a reference to paragraph (1) and Form 132 (Affidavit on Payment into Court under section 63 of the Trustee Act (Northern Ireland) 1958) may be modified as necessary;
- (b) in Rule 1(5) for the reference to Form 133 there shall be substituted a reference to Form 387; and
- (c) in Rule 1(6) for the reference to Form 134 there shall be substituted a reference to Form 388.

*Notice of evidence in appeals under the 1988 Order*

14.—(1) Notice specifying any new matter in respect of which the appellant is to adduce evidence in accordance with Article 16(4)(b) of the 1988 Order shall be in Form 370 and shall be served on the Secretary of State not less than 7 days before the day on which the appeal is to be heard.

(2) Where the Secretary of State intends at the hearing of the appeal to adduce evidence of any matter relevant to Article 5(9) or Article 6(1)(b) of the 1988 Order, such evidence shall not be admitted at the hearing of the appeal unless—

- (a) the Secretary of State, not less than 7 days before the day on which the appeal is to be heard, serves on the appellant written notice specifying particulars of that evidence, including a list of any convictions which he intends to adduce in evidence; or
- (b) the appellant consents to that evidence being adduced; or
- (c) the court gives leave for that evidence to be adduced.

Provided that where the Secretary of State fails to comply with the requirements of sub-paragraph (a) the judge may adjourn the appeal in order to allow the required notice to be served on the appellant and any costs occasioned by any such adjournment shall be in the discretion of the judge.

*Applications under Article 14 of the 1988 Order*

15.—(1) Order 44 shall apply to compensation awarded under the 1988 Order as if the amount determined as payable to the person under a disability by the Secretary of State had been damages agreed to be paid in proceedings in the county court.

(2) An application under Article 14 of the 1988 Order shall be made to the court by which an appeal would have been heard under Rule 2(3)(b) had there been an appeal against the determination.

(3) Notice of application under Article 14 of the 1988 Order shall be in Form 356 and shall—

- (a) be served on the Secretary of State; and
- (b) be lodged in the office of the chief clerk duly endorsed as to service together with any certificate of posting.

(4) An order approving a determination by the Secretary of State under Article 14(2)(a) of the 1988 Order shall be in Form 357 and an order under Article 14(2)(b) of the 1988 Order shall be in Form 358.

*Applications under Article 16(6) or Article 15 of the 1988 Order*

16.—(1) The provisions of Rule 1 of Order 14 with any necessary modifications shall apply to an application under Article 16(6) of the 1988 Order (applications to extend time for making or serving any report, notice or application referred to in

Article 5(4), 5(5)(a) or 11(1)) or under Article 15 of the 1988 Order (applications for declaration as to delay in determining compensation) as if it were an interlocutory application in the course of an action or matter.

(2) Any such application shall be made to the county court for the division in which the criminal injury was sustained.

(3) Notice of an application under Article 16(6) of the 1988 Order shall be in Form 359.

(4) An order made on an application under Article 16(6) of the 1988 Order shall be endorsed on the notice and an order dismissing the application shall be in Form 360.

(5) Notice of an application under Article 15 of the 1988 Order shall be in Form 361 and a declaration under that Article shall be in Form 362 and endorsed on the notice.

(6) An order dismissing an application for a declaration under Article 15 of the 1988 Order shall be in Form 363.

(7) A notice of application to which this rule applies shall be lodged in the office of the chief clerk and a copy thereof shall be served on the solicitor for the Secretary of State.

(8) The notice lodged in the office shall be duly endorsed as to service and accompanied by any certificate of posting.

NEW FORMS TO BE INSERTED IN COUNTY COURT RULES  
(NORTHERN IRELAND) 1981

FORM No. 324

**Notice of Appeal (by applicant) to County Court under Article 15 of the  
Criminal Damage (Compensation) (Northern Ireland) Order 1977**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an appeal under Article 15 of the Criminal Damage  
(Compensation) (Northern Ireland) Order 1977.

Between

of

Appellant

and

the Secretary of State

Respondent

Application No.

TAKE NOTICE that the Appellant hereby appeals to the County Court against the decision/determination/order of the Secretary of State dated the        day of 19        in respect of the above-numbered application served on him on the        day of 19        (in case of postal service state date on which notice of decision/determination/order was delivered to applicant or his solicitor) and the appeal will be heard at the sitting of the Court for the above-named Division to be held at        on a date to be notified to the parties by the chief clerk.

The appeal is against the entire decision/determination/order on the grounds set out below [or so much of the decision/determination/order as relates to the items set out below in numerical order on the grounds specified against each item] — [(add if applicable). The applicant has already been paid the sum of £        on account of compensation under Article 12(1) of the said Order of 1977.]

Dated this        day of        19        .

Signature of Appellant/Solicitor for  
Appellant

Name and address of Agent/Solicitor

To:—

- (a) The Chief Clerk at  
(address of Courthouse)
- (b) The Secretary of State at  
(address of Department)
- [(c) (name(s) of person(s) upon whom notice has been served by the Secretary of State under Article 15(1) of the Criminal Damage (Compensation) (Northern Ireland) Order 1977).]

NOTE:

A copy of—

- (a) the decision/determination/order of the Secretary of State served on the appellant under Article 15 of the Order endorsed with a certificate as to the date of service of the notice on the appellant;
- (b) a copy of any written form of application for compensation served on the Secretary of State under Article 8 of the Order;

must be delivered to the chief clerk with this notice of appeal.

**Notice of Appeal (by person other than applicant) to County Court under  
Article 15 of the Criminal Damage (Compensation) (Northern Ireland)  
Order 1977***[Title as in Form No. 324]*

Application No.

TAKE NOTICE that I \_\_\_\_\_ of \_\_\_\_\_  
being a person affected by the decision/determination/order of the  
Secretary of State in respect of the above-numbered application served on me on the  
day of \_\_\_\_\_ 19 \_\_\_\_ (in the case of postal service state date on which notice of  
decision/determination/order was delivered to applicant or his solicitor) do hereby  
appeal to the county court against such decision/determination/order and the appeal  
will be heard at the sitting of the court for the above-named Division to be held at  
\_\_\_\_\_ on a date to be notified to the parties by the chief clerk.

The appeal is against the entire decision/determination/order on the grounds set  
out below [or so much of the decision/determination/order as relates to the items set  
out below in numerical order on the grounds specified against each item]—

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Signature of Appellant/Solicitor for  
Appellant

Name and address of Agent/Solicitor

To:—

- (a) The Chief Clerk at  
(address of Courthouse)
- (b) The Secretary of State at  
(address of Department)

[(c)

(name(s) of person(s) upon whom notice has been served by the Secretary of  
State under Article 15(1) of the Criminal Damage (Compensation) (Northern  
Ireland) Order 1977).]

**NOTE:**

A copy of the decision/determination/order of the Secretary of State served on the  
appellant under Article 15 of the Order endorsed with a certificate as to the date of  
service of the notice on the appellant must be delivered to the chief clerk with this  
notice of appeal.

**Notice of Appeal to County Court under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 against decision of Secretary of State upon request submitted to him under Article 7(3) of that Order.**

[Title as in Form 324]

TAKE NOTICE that the appellant hereby appeals to the county court for the above-named Division sitting at \_\_\_\_\_ on a date to be notified to the parties by the chief clerk against the decision of the Secretary of State dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ served on him on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ (in case of postal service state date on which notice of decision was delivered to appellant or his solicitor) to refuse the request of the appellant dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ that the period within which preliminary notice of his claim to compensation under the Criminal Damage (Compensation) (Northern Ireland) Order 1977 in accordance with Article 7(1) of that Order may be extended under Article 7(3) thereof.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Signature of Appellant/Solicitor for Appellant

Name and address of Agent/Solicitor

To:—

- (a) The Chief Clerk at \_\_\_\_\_  
(address of Courthouse)
- (b) The Secretary of State at \_\_\_\_\_  
(address of Department)

[(c) (name(s) of person(s) upon whom notice has been served by Secretary of State under Article 15(1) of the Criminal Damage (Compensation) (Northern Ireland) Order 1977).]

**NOTE:**

A copy of the preliminary notice sought to be served under Article 7(1) must be attached to this notice served on the chief clerk.

**Notice of Appeal to County Court under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 against decision of Secretary of State to refuse to extend time under Article 8 for making application for compensation**

[Title as in Form 324]

TAKE NOTICE that the appellant hereby appeals to the county court for the above-named Division sitting at \_\_\_\_\_ on a date to be notified to the parties by the chief clerk against the decision of the Secretary of State dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ served on him on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ (in case of postal service state date on which notice of decision was delivered to appellant or his solicitor) to refuse the request of the appellant dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ that the period of four months from the date on which the appellant served on the Secretary of State the preliminary notice (a copy of which is attached hereto) of his claim for compensation under the Criminal Damage (Compensation) (Northern Ireland) Order 1977 in accordance with Article 7(1) thereof, namely the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, be extended under Article 8(1) thereof to a longer period not exceeding twelve months from the date of such service.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ .

Signature of Appellant/Solicitor for  
Appellant

Name and address of Agent/Solicitor

To:—

- (a) The Chief Clerk at  
(address of Courthouse)
- (b) The Secretary of State at  
(address of Department)

[(c) \_\_\_\_\_  
(name(s) of person(s) upon whom notice has been served by the Secretary of State under Article 15(1) of the Criminal Damage (Compensation) (Northern Ireland) Order 1977).]

NOTE:

A copy of the preliminary notice served under Article 7(1) and any application sought to be served on the Secretary of State under Article 8 of the Order must be attached to this notice served on the chief clerk.

**Certificate of Order by County Court allowing appeal (by applicant)  
under Article 15 of the Criminal Damage (Compensation) (Northern  
Ireland) Order 1977**

BY THE COUNTY COURT JUDGE/RECORDER for the County Court Division of

IN THE MATTER OF the Criminal Damage (Compensation) (Northern Ireland) Order  
1977;

AND IN THE MATTER OF an appeal under Article 15 of the Order against a  
decision/determination/order of the Secretary of State in respect of Application No.  
for compensation under that Order.

Between

of

Appellant

and

The Secretary of State

Respondent

UPON AN APPEAL made by the appellant on the \_\_\_\_\_ day of  
19 \_\_\_\_\_ under Article 15 of the Criminal Damage (Compensation) (Northern Ireland)  
Order 1977 heard at the \_\_\_\_\_ sitting;

AND WHEREAS the appellant under the decision/determination/order of the Secretary  
of State dated \_\_\_\_\_ and served on the appellant [it is entitled to receive]  
[or has received] the sum of £ \_\_\_\_\_ specified as due to the appellant in that  
decision/determination/order by way of compensation [together with the sum of  
£ \_\_\_\_\_ payable under Article 12(2) of the Order] and the appellant has appealed  
against [the entire decision/determination/order of the Secretary of State] [or so much  
of the decision/determination/order as relates to the items specified in the notice of  
appeal] on the grounds specified in the notice of appeal;

AND THE COURT HAVING EXAMINED into the matter of such appeal and having found  
that the sum of £ \_\_\_\_\_ is payable by the respondent Secretary of State to the appellant  
as compensation for the loss suffered by the appellant [together with the sum of  
£ \_\_\_\_\_ payable by the Secretary of State under Article 12(2) of the Order].

IT WAS ORDERED that the [additional] sum of £ \_\_\_\_\_ be paid to the appellant by the  
respondent;

AND IT WAS FURTHER ORDERED that the appellant be paid by the respondent the sum  
of £ \_\_\_\_\_ for the costs of this appeal and the sum of £ \_\_\_\_\_ for witnesses' expenses;

[AND IT WAS FURTHER ORDERED that the sum of £ \_\_\_\_\_ lodged in court by the  
respondent be forthwith paid out to the appellant in part satisfaction of the amount  
decreed, costs and expenses.]

I THEREFORE CERTIFY for the purposes of section 25 of the Crown Proceedings Act  
1947 that the aforesaid sums are payable by the respondent Secretary of State.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(Seal)

Chief Clerk  
Solicitor for Appellant



**Certificate of Order by County Court allowing appeal (by person other than applicant) under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977**

[Title as in Form 328]

UPON AN APPEAL by the appellant on the            day of            19             
under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order  
1977 heard at the            sitting;

IT APPEARING THAT on the            day of            19            the  
respondent Secretary of State served on the appellant a copy of his  
decision/determination/order made on an application for compensation under the said  
Order of 1977 by

*(full names)*

of

*(full address)*

to the following effect, namely—

*(state terms of decision/determination/order);*

AND IT FURTHER APPEARING that the appellant having the following estate or interest,  
namely—

in the subject matter of the application was aggrieved by the said decision/  
determination/order;

AND THE COURT HAVING EXAMINED into the matter of said appeal and having found  
that the sum of £            is payable by the Secretary of State to the appellant as  
compensation for the loss suffered by the appellant;

IT WAS ORDERED that the sum of £            be paid to the appellant by the respondent;

AND IT WAS FURTHER ORDERED that the appellant be paid by the respondent the sum  
of £            for the costs of this appeal and the sum of £            for witnesses' expenses.

I THEREFORE CERTIFY for the purposes of section 25 of the Crown Proceedings Act  
1947 that the aforesaid sums are payable by the respondent Secretary of State.

Dated at            this            day of            19           

(Seal)

Chief Clerk

Solicitor for Appellant

**Certificate of Order by County Court allowing appeal from refusal of request submitted to Secretary of State under Article 7(3) of the Criminal Damage (Compensation) (Northern Ireland) Order 1977**

*[Title as in Form 328]*

UPON AN APPEAL made by the appellant on the            day of            19    under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 heard at the            sitting;

AND WHEREAS the appellant submitted a request under Article 7(3) of the said Order of 1977 to the Secretary of State in writing dated the            day of            19    to extend the period specified in Article 7(1) thereof for serving a preliminary notice of intention to claim compensation under the Order in respect of the following act

*(state briefly details of act giving rise to claim for compensation)*

alleged to have been committed on the            day of            19    and the Secretary of State on the            day of            19    served upon the appellant notice of his decision to refuse that request;

AND THE COURT HAVING EXAMINED into the matter of such appeal;

IT WAS ORDERED that the appellant be allowed to serve such preliminary notice on the Secretary of State not later than the            day of            19    ;

AND IT WAS ORDERED that the appellant be paid by the respondent Secretary of State the sum of £            for the costs of this appeal;

I THEREFORE CERTIFY for the purposes of section 25 of the Crown Proceedings Act 1947 that the aforesaid sum for costs is payable by the respondent Secretary of State.

Dated at            this            day of            19    .

(Seal)

Chief Clerk

Solicitor for Appellant



**Order by County Court dismissing an appeal under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 from decision/determination/order by Secretary of State on claim for compensation under that Order**

*[Title as in Form 328]*

IT APPEARING to the court that on the        day of        19        the appellant served notice of appeal under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 against the decision/determination/order of the respondent Secretary of State to the following effect:—

*(state briefly relevant terms of decision/determination/order as the case may be);*

AND IT FURTHER APPEARING that the appellant has failed to prove that the sum of £        claimed as compensation under the Order [*and/or* the sum of £        claimed under Article 12(2) of the Order] is payable to the appellant by the respondent;

IT IS THEREFORE ORDERED by the court that the appeal be and the same is hereby dismissed [and that the respondent Secretary of State do recover against the appellant the sum of £        for costs and the sum of £        for witnesses' expenses].

Dated at        this        day of        19        .

(Seal)

Chief Clerk

Solicitor for Respondent

**Order by County Court dismissing appeal for refusal of request  
submitted to Secretary of State under Article 7(3) of the Criminal  
Damage (Compensation) (Northern Ireland) Order 1977***[Title as in Form 328]*

IT APPEARING to the court that on the            day of            19            the appellant served notice of appeal under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 against the decision under Article 7(3) of that Order of the respondent Secretary of State to extend the period specified in Article 7(1) thereof for service on the Secretary of State by the appellant of a preliminary notice of intention to claim compensation under that Order;

AND THE COURT HAVING EXAMINED into the matter of such appeal;

IT WAS ORDERED by the court that the appeal be and the same is hereby dismissed [and that the respondent Secretary of State do recover against the appellant the sum of £            for costs and the sum of £            for witnesses' expenses].

Dated at            this            day of            19            .

Chief Clerk

(Seal)

Solicitor for Respondent

**Order by County Court dismissing appeal against decision of Secretary of State to refuse to extend time under Article 8 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 for making application for compensation**

[Title as in Form 328]

IT APPEARING to the court that on the            day of            19            the appellant served notice of appeal under Article 15 of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 against the decision of the respondent Secretary of State not to allow the appellant to make any application under Article 8 of the said Order for compensation thereunder within the period specified in Article 8(1) thereof from the date on which the appellant served on the respondent Secretary of State preliminary notice under Article 7(1) of that Order of his intention to apply for such compensation;

AND THE COURT HAVING EXAMINED into the matter of such appeal;

IT WAS ORDERED by the court that the appeal be and the same is hereby dismissed [and that the respondent Secretary of State do recover against the appellant the sum of £            for costs and the sum of £            for witnesses' expenses].

Dated at            this            day of            19            .

(Seal)

Chief Clerk

Solicitor for Respondent

FORM No. 335

**Notice of Payment into Court (Appeals)**

[Title as in Form 324]

TAKE NOTICE that the respondent Secretary of State has paid into Court the sum of £            being £            in satisfaction of so much of the appellant's claim for compensation under the Order [and/or £            payable under Article 12(2) of the Order] as is the subject of the appeal and in the event of the appellant accepting the amount so paid, the Secretary of State undertakes to pay to the appellant the amount of any costs or expenses reasonably incurred by him between the date on which the Secretary of State served on him notice of his decision/determination/order under Article 15(1) of the Order and the date of lodgment (such costs and expenses to be settled in default of agreement by the district judge or by the judge on appeal).

Signed:

(Rank) on behalf of the  
Secretary of State/Solicitor  
for Secretary of State

To the Appellant

**Notice of acceptance of sum lodged in Court (Appeals)***[Title as in Form 324]*

TAKE NOTICE that the appellant accepts the sum of £            paid into Court by the respondent Secretary of State being £            in satisfaction of so much of his claim for compensation under the Order [*and/or* £            for such sum as is payable by the Secretary of State under Article 12(2) of the Order] as is the subject of the appeal without prejudice to his rights on foot of the respondent's undertaking regarding costs and expenses.

Signed:

Appellant/Solicitor for  
Appellant  
(Date)

To the respondent Secretary of State and to the Chief Clerk

**Order approving acceptance by Minor, in satisfaction, of sum lodged by Secretary of State**

[Title as in Form 328]

IT APPEARING TO THE COURT that notice of appeal under Article 15 of the Order was duly served on the respondent Secretary of State for hearing at the present sittings and that the [additional] sum of £        is payable by the Secretary of State as compensation under the Order [together with the sum of £        for such sum as is payable under Article 12(2) of the Order, making the total amount payable £        ];

IT IS THEREFORE ORDERED that the chief clerk do out of the sum lodged in court by the Secretary of State on foot of this claim pay the sum of £        to        and transfer the balance, namely £        from the Criminal Injuries Account to the separate credit of       , a Minor, without prejudice to the appellant's rights on foot of the respondent's undertaking regarding costs and expenses, to which there shall be added the sum of £        costs of this application and order;

AND IT IS FURTHER ORDERED that the sum when so transferred be invested in to abide further order;

AND IT APPEARING TO THE COURT that the said        is a Minor having been born on the        day of        19        and that it is necessary to appoint for him a Guardian of his fortune and that        his        is a fit and proper person to be appointed as such Guardian, has no interest in this matter adverse to the said Minor and consents to be so appointed;

IT IS ORDERED that the said        be and he is hereby appointed Guardian of the fortune of the said Minor during his minority or until further order.

Dated at        this        day of        19        .

Signed:        Chief Clerk

Signed:        Solicitor for Appellant

(Seal)





**Order where appellant does not obtain on appeal sum greater than amount lodged and is a Minor**

*[Title as in Form 328]*

IT APPEARING TO THE COURT that notice of appeal under Article 15 of the Order was duly served on the respondent Secretary of State for hearing at the present sittings and that the [additional] sum of £            is payable by the Secretary of State to the appellant as compensation under the Order [and £            for such sum as is payable by the Secretary of State under Article 12(2) thereof] and that the Secretary of State has lodged in Court the sum of £            in satisfaction of the appellant's claim for such compensation [and £            for such sum] [*or so much of such compensation*] [*or of such sum*] as was the subject of the appeal from the Secretary of State's decision/determination];

IT IS ORDERED that the chief clerk do out of the sum lodged in Court by the Secretary of State on foot of this claim pay thereout the sum of £            to            and to transfer the balance, namely, £            from the Criminal Injuries Account to the separate credit of            , a Minor;

AND IT IS FURTHER ORDERED that the sum when so transferred to be invested in

AND IT APPEARING TO THE COURT that the appellant is a Minor, having been born on the            day of            19            , and that it is necessary to appoint for him a Guardian of his fortune and that            his            is a fit and proper person to be appointed such Guardian, has no interest in this matter adverse to the said Minor and consents to be so appointed;

IT IS ORDERED THAT the said            be and he is hereby appointed Guardian of the fortune of the appellant during his minority or until further order.

Dated at            this            day of            19            .

Signed:  
Chief Clerk

(Seal)

Signed:  
Solicitor for Appellant

**Application under Article 16(1) or 17(4) of the Criminal Damage  
(Compensation) (Northern Ireland) Order 1977 for order directing  
offender or person to whom compensation has been paid to reimburse to  
Secretary of State compensation paid under that Order**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under Article 16(1) [17(4)] of the Criminal Damage  
(Compensation) (Northern Ireland) Order 1977

Between

the Secretary of State

Applicant

and

of

Respondent

WHEREAS compensation has been paid [is payable] by the Secretary of State under the  
Criminal Damage (Compensation) (Northern Ireland) Order 1977 in respect of the  
following damage to [or loss as a result of the unlawful removal of] property:—

(details of damage or loss)  
being damage [or loss] directly attributable to the following offence:—

Committed at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 ; (details of offence)

AND WHEREAS it appears that you \_\_\_\_\_ (name)  
of \_\_\_\_\_ (address)  
were on the \_\_\_\_\_ day of \_\_\_\_\_ 19 convicted by the \_\_\_\_\_ Court sitting at  
of that offence;

[AND WHEREAS it appears that the Respondent failed to make full and true disclosure  
of the following facts material to the determination of the application for  
compensation, that is to say—

(give details)]

APPLICATION IS HEREBY MADE under Article 16(1) [17(4)] of the said Order of 1977  
by the Secretary of State to the County Court/Recorder's Court for the above Division  
[at the sitting to be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 at the hour of  
at \_\_\_\_\_ Courthouse] for an order directing you to reimburse to the  
Secretary of State the said sum paid [or payable] under the said Order or such part  
thereof as the Court may direct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

Signed:  
Solicitor for Secretary of State

To

of

**Order under Article 16(1) or 17(4) of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 directing offender or person to whom compensataion has been paid to reimburse to Secretary of State compensation paid under that Order**

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an application under Article 16(1) [17(4)] of the Criminal Damage (Compensation) (Northern Ireland) Order 1977

Between

\_\_\_\_\_

the Secretary of State  
Applicant

and

of

Respondent

\_\_\_\_\_

IT APPEARING TO THE COURT that an application under Article 16(1) [17(4)] of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 was made to the Court for hearing at the \_\_\_\_\_ sittings;

AND THE COURT HAVING EXAMINED into the matter of such application;

AND IT FURTHER APPEARING that there has been paid [is payable] the sum of £ \_\_\_\_\_ by the Secretary of State as compensation under the Criminal Damage (Compensation) (Northern Ireland) Order 1977 in respect of the following damage to [or loss as a result of the unlawful removal of] property:—

(details of damage or loss)  
being damage [or loss] directly attributable to the following offence:—

(details of offence)  
committed at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ and that on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ the Respondent was convicted by the \_\_\_\_\_ Court sitting at \_\_\_\_\_ of the said offence;



**Application under Article 16(4) of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 for variation of order under Article 16(1) for reimbursement to Secretary of State of compensation paid or payable under that Order**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under Article 16(4) of the Criminal Damage (Compensation) (Northern Ireland) Order 1977

---

Between  
and

Applicant  
Respondent

---

WHEREAS on the            day of            19    an Order under Article 16(1) of the Criminal Damage (Compensation) (Northern Ireland) Order 1977 was made by the Court sitting at  
for the above Division directing the [Applicant] [Respondent] [*(name)*] of            (*address*)] to reimburse to the Secretary of State the sum of £            being [part of] a sum of £            paid [*or payable*] by the Secretary of State under the Criminal Damage (Compensation) (Northern Ireland) Order 1977 as compensation for damage to (*or loss as a result of the unlawful removal of*) property which was damage [*or loss*] attributable to an offence of which the [Applicant] [Respondent] was convicted by the            Court on the            day of            19 together with £            for costs and £            for witnesses' fees and expenses making £            in the aggregate.

APPLICATION IS HEREBY MADE under Article 16(4) of the said Order of 1977 by the Applicant to the County Court/Recorder's Court for the above Division at the sitting to be held at            on the            day of            19 at the hour of            at            Courthouse for an order varying the order for such reimbursement on the following grounds:—

Dated this            day of            19

Applicant/Solicitor for Applicant



**Notice of payment into court by Secretary of State under Article 12(3) [or 14(1)(ii)] of the Criminal Damage (Compensation) (Northern Ireland) Order 1977**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF the Criminal Damage (Compensation) (Northern Ireland) Order 1977;

AND IN THE MATTER OF payment into Court as provided by Article 12(3) [or 14(1)(ii)] of that Order.

WHEREAS, in pursuance of an affidavit filed in the Court on the        day of 19    (a copy of which is attached hereto) the Secretary of State on the        day of 19    did pay the sum of £        being compensation to which the applicant named in the said affidavit is entitled under the said Order, into the County Court/Recorder's Court for the above-named Division in accordance with Article 12(3) [or 14(1)(ii)] thereof, to be dealt with in accordance with the orders of the Court.

TAKE NOTICE that any person interested in or entitled to the said compensation may apply to this Court respecting the investment, payment out, or mode of dealing with the said sum or the income thereof.

Chief Clerk

To:

*(full names of person appearing to have right to receive compensation)*

of:

*(address)*



**Certificate of Chief Clerk of payment into court under Article 12(3) [or 14(1)(ii)] of the Criminal Damage (Compensation) (Northern Ireland) Order 1977**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF the Criminal Damage (Compensation) (Northern Ireland) Order 1977;

AND IN THE MATTER OF payment into Court as provided by Article 12(3) [or 14(1)(ii)] of that Order.

I HEREBY CERTIFY THAT \_\_\_\_\_ has on the  
day of \_\_\_\_\_ 19 \_\_\_\_\_, filed with me, the chief clerk of this Court, an affidavit  
entitled as above-mentioned, with reference to a payment into Court by the Secretary  
of State of £ \_\_\_\_\_ which sum was duly paid into the County Court Account of the  
County Court Bank under the provisions of Article 12(3) [or 14(1)(ii)] of the said  
Order on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Chief Clerk

To:

**Certificate of Readiness**

*[Title as in Form 324, 347 or 374 as appropriate]*

To the Chief Clerk

Sir,

I/We request that you enter this appeal for hearing.

I/We certify on behalf of the appellant—

- (1) that, so far as concerns the appellant, the appeal is ready for hearing; and
- (2) that the appellant estimates that the hearing will last not more than hour(s).\*

Signed

Appellant/Solicitor for the Appellant

(Date)

To: the Chief Clerk and to the respondent Secretary of State.

\*Note: this information will assist the Chief Clerk in assessing the likely duration of the hearing.

**Notice of Appeal under Article 16 of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an appeal under Article 16 of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988.

Between

of

and

Appellant

The Secretary of State  
Respondent

Application No.

TAKE NOTICE that the Applicant hereby appeals to the County Court against the determination of the Secretary of State dated      day of      19 in respect of the above-numbered application served on him on the      day of      19 (*in case of postal service state date on which notice of determination was delivered to applicant or his solicitor*) and the appeal will be heard at the sitting of the court for Division sitting at      on a date to be notified to the parties by the chief clerk.

The appeal is against the entire determination on the grounds set out below [or so much of the determination as relates to the items set out below in numerical order on the grounds specified against each item]—

Dated this      day of      19 .

Signature of Appellant/  
Solicitor for AppellantName and address of  
Agent/Solicitor:To the Chief Clerk at  
*courthouse*)  
and to the Secretary of State at  
*(address of Department)*.*(address of*

NOTE:

A copy of—

- (a) the notice of the determination of the Secretary of State served on the applicant under Article 12(1) or (2) of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 endorsed with a certificate as to the date of service of the notice on the appellant;
- (b) a copy of any written notice of intention to apply for compensation served on the Secretary of State in accordance with Article 5(4)(b) of the Order;
- (c) a copy of any written form of application for compensation made under Article 4 of the Order;

must be delivered to the chief clerk with this notice of appeal.

UPON AN APPEAL made by the appellant on the            day of            19    under Article 16 of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 heard at the            sittings;

AND WHEREAS the appellant under the determination of the Secretary of State dated            and served on the appellant is entitled to receive the sum of £            by way of compensation specified as due to the appellant [together with the sum of £            payable under Article 13(2) of the Order] [*or* is not entitled to receive compensation] and the appellant has appealed against the entire determination of the Secretary of State [*or* so much of the determination as relates to the items specified in the notice of appeal] on the grounds specified in the notice of appeal;

**Certificate of Order by County Court allowing appeal under Article 16 of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988**

BY THE COUNTY COURT JUDGE/RECORDER for the County Court/Recorder's Court for the Division of

IN THE MATTER OF the Criminal Injuries (Compensation) (Northern Ireland) Order 1988.

AND IN THE MATTER OF an appeal under Article 16 of the Order against a determination of the Secretary of State in respect of Application No. for compensation under that Order.

Between

of

Appellant

and

the Secretary of State  
Respondent

UPON AN APPEAL made by the appellant on the day of 19 under Article 16 of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 heard at the sittings;

AND WHEREAS the appellant under the determination of the Secretary of State dated 19 and served on the appellant is entitled to receive the sum of £ by way of compensation specified as due to the appellant [together with the sum of £ payable under Article 13(2) of the Order] [or is not entitled to receive compensation] and the appellant has appealed against the entire determination of the Secretary of State [or so much of the determination as relates to the items specified in the notice of appeal] on the grounds specified in the notice of Appeal;

AND THE COURT HAVING EXAMINED into the matter of such appeal and having found the sum of £ is payable as compensation under the Order by the respondent Secretary of State to the appellant [together with the sum of £ payable by the Secretary of State under Article 13(2) of the Order].

IT WAS ORDERED that the [additional] sum of £ be paid to the appellant by the respondent;

AND IT WAS FURTHER ORDERED that the appellant be paid by the respondent the sum of £ for the costs of his appeal and the sum of £ for witnesses' expenses;

[AND IT WAS FURTHER ORDERED that the sum of £ lodged in Court by the respondent be forthwith paid out to the appellant in part satisfaction of the amount decreed, costs and expenses].

I THEREFORE CERTIFY for the purposes of section 25 of the Crown Proceedings Act 1947 that the aforesaid sums are payable by the said respondent Secretary of State.

Dated at this day of 19

(Seal)

Chief Clerk  
Solicitor for Appellant

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FORM No. 349

**Order by County Court dismissing an appeal under Article 16 of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988**

*[Title as in Form 348]*

IT APPEARING TO THE COURT that on the day of 19 the appellant served notice of appeal under Article 16 of the Order against the determination of the respondent to the following effect—

*(state briefly relevant terms of determination as the case may be)*

AND IT FURTHER APPEARING that the appellant has failed to prove that the sum of £ claimed as compensation under the Order [and/or the sum of £ claimed under Article 13(2) of the Order] is payable to the appellant by the respondent.

IT IS THEREFORE ORDERED by the Court that the appeal be and the same is hereby dismissed [and that the respondent do recover against the appellant the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated at this day of 19

(Seal)

Chief Clerk  
Solicitor for Respondent

**Notice of Payment into Court (Appeals)***[Title as in Form 347]*

TAKE NOTICE that the respondent Secretary of State has paid into Court the sum of £            being £            in satisfaction of so much of the appellant's claim for compensation under the Order [and £            payable by the Secretary of State under Article 13(2) of the Order] as is subject to the appeal\* and in the event of the appellant accepting the amount so paid, the Secretary of State undertakes to pay to the appellant the amount of any costs or expenses reasonably incurred by him between the date on which the Secretary of State served on him notice of his determination under Article 12(1) or (2) of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 and the date of lodgment (such costs and expenses to be settled in default of agreement by the district judge, or by the judge on appeal).

Signed:

*(Rank)* on behalf of the  
Secretary of StateSolicitor for the Secretary  
of State

To the appellant

\* This undertaking should be lodged in court with the amount paid into court (see Rule 3(3) of Order 54).

FORM No. 351

**Notice of Acceptance of the Sum Lodged in Court (Appeals)***[Title as in Form 347]*

TAKE NOTICE that the appellant accepts the sum of £            paid into Court by the respondent Secretary of State being £            in satisfaction of so much of his claim for compensation under the Order [and £            for such sum as is payable by the Secretary of State under Article 13(2) of the Order] as is the subject of the appeal without prejudice to his rights on foot of the respondent's undertaking regarding costs and expenses.

Signed:

Appellant/Solicitor for  
the Appellant

(Date)

To the respondent Secretary of State and to the Chief Clerk.

**Order approving acceptance by person under a disability, in satisfaction,  
of sum lodged by Secretary of State**

[Title as in Form 348]

IT APPEARING TO THE COURT that notice of appeal under Article 16 of the Order was duly served on the respondent Secretary of State for hearing at the present sittings and that the [additional] sum of £        is payable by the Secretary of State as compensation under the Order [together with the sum of £        for such sum as is payable by the Secretary of State under Article 13(2) of the Order, making the total amount payable of £        ];

IT IS THEREFORE ORDERED that the chief clerk do transfer the sum of £        lodged in Court by the Secretary of State in satisfaction of this claim from the Criminal Injuries Account to the separate credit of       , a person under disability, without prejudice to the appellant's rights on foot of the respondent's undertaking regarding costs and expenses, to which there shall be added the sum of £        costs of the application and Order;

AND IT IS FURTHER ORDERED that the sum when so transferred be invested in        to abide further order.

[AND IT APPEARING TO THE COURT that the said        is a Minor having been born on the        day of        19        and that it is necessary to appoint for him a Guardian of his fortune and that        his       , is a fit and proper person to be appointed as such Guardian, has no interest in this matter adverse to the said Minor and consents to be so appointed.

IT IS ORDERED that the said        be and he is hereby appointed Guardian of the fortune of the said Minor during his minority or until further order].

Dated at        this        day of        19        .

Signed:

Chief Clerk

(Seal)

Signed:

Solicitor for the Appellant



**Order for payment out of sum not greater than Secretary of State's  
lodgment (with directions as to application of funds in Court)***[Title as in Form 348]*

IT APPEARING TO THE COURT that notice of appeal under Article 16 of the Order was duly served on the respondent Secretary of State for hearing at the present sittings and that the sum of £            is payable by the Secretary of State to the appellant as compensation under the Order [together with the sum of £            for such sum as is payable by the Secretary of State under Article 13(2) of the Order, making the total amount payable of £            ];

AND IT FURTHER APPEARING TO THE COURT that the respondent Secretary of State did on the            day of            19            pay into Court the sum of £            in satisfaction of so much of the appellant's claim to compensation [and £            in satisfaction of so much of such sum payable under the said Article 13(2) as is the subject of the appeal, [each of] which said sum(s) so lodged is not less than the amount payable as recited above;

IT IS THEREFORE ORDERED by the Court that there be paid out of the sums so lodged in Court as aforesaid (1) to the Secretary of State the sum of £            being costs for the payment of which the appellant is liable under Rule 4 of Order 54 as determined by the Court and (2) to the appellant the sum of £            \* in satisfaction of his claim for compensation [and for such sum as is payable by the Secretary of State under Article 13(2) of the Order].

AND IT IS FURTHER ORDERED that the balance of the said sum so lodged in Court, namely £            , be paid out to the Secretary of State.

Dated at            this            day of            19            .

Signed:

(Seal)

Chief Clerk

Signed:

Solicitor for the Appellant

\* Amount awarded for compensation under the Order together with any sum payable under Article 13(2) less the Secretary of State's costs of the appeal.

**Order where appellant does not obtain on appeal sum greater than amount lodged and is a person under a disability**

[Title as in Form.348]

IT APPEARING TO THE COURT that notice of appeal under Article 16 of the Order was duly served on the respondent Secretary of State for hearing at the present sittings and that the [additional] sum of £            is payable by the Secretary of State to the appellant as compensation under the Order [and £            for such sum as is payable by the Secretary of State under Article 13(2) thereof] and that the Secretary of State has lodged in Court the sum of £            in satisfaction of the appellant's claim for such compensation [and £            for such sum] [[or so much of such compensation] [or of such sum] as was the subject of the appeal from the Secretary of State's determination];

IT IS ORDERED that the chief clerk do out of the sum lodged in Court by the Secretary of State on foot of his claim pay thereout the sum of £            to            and do transfer the balance, namely £            from the Criminal Injuries Account to the separate credit of           , a person under a disability;

AND IT IS FURTHER ORDERED that the sum when so transferred be invested in           ;

[AND IT APPEARING TO THE COURT that the appellant is a Minor, having been born on the            day of            19           , and that it is necessary to appoint for him a Guardian of his fortune and that            his            is a fit and proper person to be appointed such Guardian, has no interest in this matter adverse to the said Minor and consents to be so appointed;

IT IS ORDERED THAT the said            be and he is hereby appointed Guardian of the fortune of the appellant during his minority or until further order.]

Dated at            this            day of            19           .

Signed:

Chief Clerk

(Seal)

Signed:

Solicitor for the Appellant

**Certificate of Order allowing appeal and ordering payment to credit of person under a disability, in part satisfaction, of sum lodged by Secretary of State**

*[Title as in Form 328, 348 or 374 (as appropriate) with any necessary modifications]*

[The Form of Certificate is as in Form with any necessary modifications and in particular for the words "IT WAS ORDERED that the [additional] sum of £ be paid to the appellant by the respondent" onwards there shall be substituted the following:— ]

IT WAS ORDERED that the appellant, a person under a disability, [by his and next friend] do recover from the respondent Secretary of State the [additional] sum of £ together with the sum of £ for the costs of this appeal and the sum of £ for witnesses' expenses.

AND IT WAS FURTHER ORDERED that the chief clerk do transfer the sum lodged in Court by the Secretary of State on foot of this claim from the Criminal Injuries Account to the separate credit of , a person under a disability;

AND IT WAS FURTHER ORDERED that the Secretary of State do forthwith upon the direction of the Accountant General lodge the sum of £ , being the balance of the sum otherwise due to the appellant, in Court to the credit of this matter and to the separate credit of ;

AND IT WAS FURTHER ORDERED that the sums transferred and lodged in Court as aforesaid be invested in to abide further order;

[AND IT APPEARING TO THE COURT that the said is a Minor, having been born on the day of 19 , and that it is necessary to appoint him a Guardian of his fortune and that his is a fit and proper person to be appointed such Guardian, has no interest in this matter adverse to the said Minor and consents to be so appointed:

IT WAS ORDERED that the said be and he is hereby appointed Guardian of the fortune of the said Minor during his minority or until further order.]

I certify that for the purposes of section 25 of the Crown Proceedings Act 1947 the following sums are payable by the respondent Secretary of State, namely the sum of £ (being the balance otherwise due to the appellant to be paid into court as aforesaid) and the sum of £ for the said costs and expenses to be paid to the appellant.

Dated at this day of 19 .

Signed:  
Chief Clerk

(Seal)

Signed:  
Solicitor for Appellant .

**Notice of Application under Article 14 of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988 for approval of award of  
compensation to person under a disability**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under Article 14 of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988 for approval of an award of  
compensation to \_\_\_\_\_ (*name of person under  
disability*) a person under a disability.

Between

Applicant

and

the Secretary of State  
Respondent

Application No.

WHEREAS the Secretary of State on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ served notice  
upon \_\_\_\_\_ [acting for] (*name of person under disability*), being a  
person under a disability, that he had determined that the said person was entitled to  
receive the sum £ \_\_\_\_\_ by way of compensation under the said Order of 1988 [together  
with the sum of £ \_\_\_\_\_ payable under Article 13(2) of the Order];

TAKE NOTICE that I shall apply to the Judge/Recorder at the County  
Court/Recorder's Court sitting at \_\_\_\_\_ (*Courthouse*) on a date to be notified to  
the parties by the chief clerk, for approval of the said determination.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Signed:

Solicitor for Applicant

To the respondent Secretary of State

and to the Chief Clerk at  
(*address of Courthouse*).

**Order under Article 14(2)(a) of the Criminal Injuries (Compensation)  
(Northern Ireland) Order 1988 approving determination of Secretary of  
State as to Compensation**

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an application under Article 14 of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988 for approval of an award of  
compensation to *(name of person under disability)* a person  
under a disability.

Between

Applicant

and

the Secretary of State  
Respondent

Application No.

WHEREAS the Secretary of State on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ served notice  
upon \_\_\_\_\_ [acting for]  
*(name of person under disability)*, being a person  
under a disability, that he had determined that the said person under a disability was  
entitled to receive the sum of £ \_\_\_\_\_ by way of compensation under the said Order of  
1988 [together with the sum of £ \_\_\_\_\_ payable under Article 13(2) of the Order];

AND WHEREAS on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ application was made on  
behalf of the said person under a disability for approval of the said determination;

THE COURT HAVING EXAMINED into the matter of the said determination and  
having found that the sum of £ \_\_\_\_\_ is so payable (together with the sum of £ \_\_\_\_\_  
payable under Article 13(2) of the Order);

THE COURT on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ approved the said determination.

IT WAS ORDERED that the Secretary of State do forthwith upon the direction of the  
Accountant General lodge in Court to the separate credit of the said person under a  
disability the sum of £ \_\_\_\_\_ and that the said sum be invested [or dealt with] as  
follows:—

*(state order or direction)*

[AND IT APPEARING TO THE COURT that the said  
*(name of minor)* is a minor, having been born on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, and  
that it is necessary to appoint for him a Guardian of his fortune and that  
his \_\_\_\_\_ is a fit and proper person to be  
appointed such Guardian, has no interest in this matter adverse to the said Minor and  
consents to be so appointed;

IT WAS FURTHER ORDERED that the said  
be and he is hereby appointed Guardian of the fortune of the said Minor during his  
minority or until further order.]

AND IT WAS FURTHER ORDERED that the said  
(*name of person under disability*) do recover from the Secretary of State the sum of  
£ being his costs of appearing upon the said application and I hereby certify for  
the purposes of section 25 of the Crown Proceedings Act 1947 that the said sum is  
payable by the Secretary of State.

Dated at this day of 19 .

Signed:

Chief Clerk

(Seal)



IT WAS FURTHER ORDERED that the said

be and he is hereby appointed Guardian of the fortune of the said Minor during his minority or until further order.]

AND IT WAS FURTHER ORDERED that the said  
(*name of person under a disability*) do recover from the Secretary of State the sum of £        being the costs of appearing upon the said application and I hereby certify for the purposes of section 25 of the Crown Proceedings Act 1947 that the said sum is payable by the Secretary of State.

Dated at                    this            day of                    19   .

Signed:

Chief Clerk

(Seal)



**Notice of Application under Article 16(6) of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under Article 16(6) of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988.

Between

of

Applicant

and

the Secretary of State  
Respondent

Application No.

TAKE NOTICE that I \_\_\_\_\_ will on the \_\_\_\_\_ day of  
19 \_\_\_\_\_ apply to the Court for the above-named County Court Division sitting  
at \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. for an order

*(Insert nature of application and attach a copy of the notice of intention under  
Article 5(4)(b) of the Order of 1988 or of application under Article 5(5)(a) or 11(1) of  
that Order, as appropriate.)*

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Applicant/or  
Solicitor for Applicant

To the Chief Clerk at  
*(Address of courthouse)*

and to the solicitor for the Secretary of State

at

*(address of Department dealing with claims for compensation under Order)*

**ENDORSEMENT**

*(Here endorse order made on application)*

Chief Clerk

**Order dismissing application under Article 16(6) of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988**

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an application under Article 16(6) of the Criminal  
Injuries (Compensation) (Northern Ireland) Order 1988.

Between

of

and

Applicant

the Secretary of State  
Respondent

Application No.

UPON AN APPLICATION made by the applicant on the        day of  
19        under Article 16(6) of the Criminal Injuries (Compensation)  
(Northern Ireland) Order 1988;

AND UPON READING the notice of such application, due service of such  
notice upon the respondent having been proved;

AND UPON HEARING

AND THE COURT HAVING EXAMINED into the matter of such application;

IT IS ORDERED by the Court that the application be and the same is hereby  
dismissed and that the respondent do recover against the applicant the sum of  
£        for costs.

Dated at                    this            day of                    19 .

Chief Clerk

(Seal)

Solicitor for Secretary of State

**Notice of Application for a Declaration under Article 15 of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application for a declaration under Article 15 of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 for a declaration as to delay in determining an application for compensation.

Between

Applicant

and

the Secretary of State  
Respondent

Application No.

TAKE NOTICE that I \_\_\_\_\_ will on the \_\_\_\_\_ day of 19 \_\_\_\_\_ apply to the Court for a declaration under Article 15 of the Order of 1988 that the Secretary of State has had sufficient information to enable him to determine the applicant's application for compensation under the said Order and that he has not determined the said application within such period after he received or obtained that information as is reasonable.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Applicant/or Solicitor  
for ApplicantTo the Chief Clerk at  
(*address of courthouse*).

and to the solicitor for the Secretary of State

## ENDORSEMENT

*(Here endorse declaration as in Form No. 362)*

**Declaration to be endorsed on Notice under Article 15 of the Criminal  
Injuries (Compensation) (Northern Ireland) Order 1988**

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

WHEREAS on the        day of        19        the applicant applied to the Court under Article 15 of the Order of 1988 for a declaration that the Secretary of State has had sufficient information to enable him to determine the applicant's application for compensation under the said Order, the Court on the        day of        19        made a declaration that the Secretary of State has not determined this application within such period after he received or obtained that information as is reasonable.

(Seal)

Chief Clerk

Date

**Order dismissing Application for Declaration under Article 15 of the  
Criminal Injuries (Compensation) (Northern Ireland) Order 1988**

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an application under Article 15 of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988.

Between

of

Applicant

and

the Secretary of State  
Respondent

Application No.

UPON AN APPLICATION made by the applicant on the            day of            19  
under Article 15 of the said Order of 1988;

AND UPON READING the notice of such application, due service thereof upon the  
Secretary of State having been proved;

AND UPON HEARING

AND THE COURT HAVING EXAMINED into the matter of such application;

IT IS ORDERED by the Court that the application be and the same is hereby  
dismissed and that the respondent Secretary of State do recover against the applicant  
the sum of £            for costs.

Dated at            this            day of            19 .

Chief Clerk

(Seal)

Solicitor for the Secretary of State

**Application under Article 17(1) of the Criminal Injuries (Compensation)  
(Northern Ireland) Order 1988 for Order directing offender to reimburse  
to Secretary of State compensation paid under that Order**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under Article 17(1) of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988.

Between

the Secretary of State  
Applicant

and

of

Respondent

Application No.

WHEREAS compensation has been paid [is payable] by the Secretary of State  
under the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 in respect  
of the following criminal injury:—

being an injury directly attributable to the following offence:— *(details of injury)*

committed at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ ; *(details of offence)*

AND WHEREAS it appears that you *(name)*  
of *(address)*  
were on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ convicted by the  
court sitting at \_\_\_\_\_ of that offence.

APPLICATION IS HEREBY MADE under Article 17(1) of the said Order of 1988 by  
the Secretary of State to the County Court/Recorder's Court for the above Division [at  
the sitting to be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ at the hour of  
\_\_\_\_\_ at \_\_\_\_\_ Courthouse] for an order directing you to  
reimburse to the Secretary of State the said sum paid [or payable] under the said Order  
or such part thereof as the Court may direct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Signed:

To \_\_\_\_\_ Solicitor for Secretary of State  
*(name of offender)* of  
*(address of offender)*.

Copy to the Chief Clerk at  
*(address of courthouse)*.

**Order under Article 17(1) of the Criminal Injuries (Compensation)  
(Northern Ireland) Order 1988 directing offender to reimburse to  
Secretary of State compensation paid under that Order**

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an application under Article 17(1) of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988

Between

the Secretary of State  
Applicant

and  
of

Respondent

Application No.

IT APPEARING TO THE COURT that an application under Article 17(1) of the  
Criminal Injuries (Compensation) (Northern Ireland) Order 1988 was made to the  
Court for hearing at the sittings;

AND THE COURT HAVING EXAMINED into the matter of such application;

AND IT FURTHER APPEARING that there has been paid [is payable] the sum of  
£ by the Secretary of State as compensation under the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988 in respect of the following criminal  
injury:—

*(details of injury)*

being an injury directly attributable to the following offence:—

*(details of offence)*

committed at on the day of 19 and that on the day  
of 19 the Respondent was convicted by the Court sitting at  
of the said offence;

IT IS THEREFORE ORDERED AND DIRECTED that the Respondent reimburse to the  
Secretary of State the sum of £ being [part of] the sum paid [or payable] under the  
said Order of 1988 [together with the sum of £ for the costs and £ for  
witnesses' fees and expenses incurred on the hearing of this application making  
£ in the aggregate] [by instalments, the first of such instalments to be for the sum  
of £ and to be paid on the day of 19, and the remaining  
instalments to be each for the sum of £ and to be paid upon the day of each  
succeeding and so to continue until the sum is paid].

No. 249

Dated at

this

County Courts

day of

19

1483

Signed:

Chief Clerk

(Seal)

Signed:

Solicitor for the Secretary of State



**Application under Article 17(4) of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 for variation of Order under Article 17(1) thereof for reimbursement to Secretary of State of compensation paid or payable under that Order**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under Article 17(4) of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988.

Between

Applicant

and

Respondent

Application No. (*including number of original application for compensation*)

WHEREAS on the        day of        19       , an Order under Article 17(1) of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 was made by the Court sitting at        for the above Division directing the [Applicant]        [Respondent]        [       ] (name) of        (address) to reimburse to the Secretary of State the sum of £        being [part of] a sum of £        paid [or payable] by the Secretary of State under the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 as compensation for criminal injury to the person of        of        attributable to an offence of which the [Applicant] [Respondent] was convicted by the        Court on the        day of        19       , together with £        for costs and £        for witnesses' fees and expenses making £        in the aggregate.

APPLICATION IS HEREBY MADE under Article 17(4) of the said Order of 1988 by the Applicant to the County Court/Recorder's Court for the above Division at the sitting to be held at        on the        day of        19       , at the hour of        at        Courthouse for an Order varying the Order for such reimbursement on the following grounds:—

Dated this        day of        19       .

Applicant/Solicitor for  
Applicant

To:        (*name of respondent*)

of (*address of respondent*).

Copy to the Chief Clerk at  
(*address of courthouse*).

**Order under Article 17(4) of the Criminal Injuries (Compensation)  
(Northern Ireland) Order 1988 varying Order under Article 17(1) of that  
Order for reimbursement to Secretary of State of compensation paid or  
payable under that Order**

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an application under Article 17(4) of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988.

Between [ \_\_\_\_\_ of \_\_\_\_\_ ]  
[the Secretary of State] Applicant  
and [the Secretary of State][ \_\_\_\_\_ of \_\_\_\_\_ ]  
Respondent

Application No. \_\_\_\_\_

IT APPEARING TO THE COURT that an application under Article 17(4) of the  
Criminal Injuries (Compensation) (Northern Ireland) Order 1988 was made to the  
Court for hearing at the \_\_\_\_\_ sittings;

AND THE COURT HAVING EXAMINED into the matter of such application;

AND IT FURTHER APPEARING that there has been paid [is payable] the sum of  
£ \_\_\_\_\_ by the Secretary of State as compensation under the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988 as compensation for a criminal injury  
to the person of \_\_\_\_\_ attributable to an offence of which the [Applicant]  
[Respondent] was convicted by the Court sitting at \_\_\_\_\_ on the \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_ ;

AND IT FURTHER APPEARING that the said order for reimbursement to the  
Secretary of State should be varied as follows:—

IT IS THEREFORE ORDERED AND DIRECTED that under the Order as so varied the  
[Applicant] [Respondent] reimburse the Secretary of State the sum of £  
[outstanding] being [part of] the sum paid [or payable] as aforesaid [by fresh]  
instalments, the first of such [fresh] instalments to be for the sum of £ \_\_\_\_\_ and to be  
paid on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ , and the remaining instalments  
to be each for the sum of £ \_\_\_\_\_ and to be paid upon the \_\_\_\_\_ day of \_\_\_\_\_  
each succeeding \_\_\_\_\_ and so to continue until the aforesaid sum  
outstanding is paid].

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Signed: \_\_\_\_\_

Chief Clerk

(Seal)

Signed:

Applicant/Solicitor for  
Applicant

**Notice of payment into Court by Secretary of State under Article 21(1) of the Criminal Injuries (Compensation) (Northern Ireland) Order 1988**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF the Criminal Injuries (Compensation) (Northern Ireland) Order 1988;

AND IN THE MATTER OF payment into Court as provided by Article 21(1) of that Order.

WHEREAS, in pursuance of an affidavit filed in the Court on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ (a copy of which is attached hereto) the Secretary of State on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ did pay the sum of £ \_\_\_\_\_ being compensation to which the applicant named in the said affidavit is entitled under the said Order, into the County Court/Recorder's Court for the above-named Division in accordance with Article 21(1) thereof, to be dealt with in accordance with the orders of the Court;

TAKE NOTICE that any person interested in or entitled to the said compensation may apply to this Court respecting the investment, payment out, or mode of dealing with the said sum or the income thereof.

To: Chief Clerk  
*(full names of person appearing to have rights to receive compensation)*  
of: *(address)*

Application No.

**Certificate of Chief Clerk of Payment into Court under Article 21(1) of  
the Criminal Injuries (Compensation) (Northern Ireland) Order 1988**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF the Criminal Injuries (Compensation) (Northern Ireland) Order  
1988;

AND IN THE MATTER OF payment into Court as provided by Article 21(1) of that  
Order.

I HEREBY CERTIFY that \_\_\_\_\_ has on the \_\_\_\_\_ day of  
\_\_\_\_\_ 19\_\_\_\_, filed with me, the chief clerk of this Court, an affidavit  
entitled as above-mentioned, with reference to a payment into Court by the Secretary  
of State of £ \_\_\_\_\_ which sum was duly paid into the County Court Account of the  
County Court Bank under the provisions of Article 21(1) of the said Order on the  
day of \_\_\_\_\_ 19\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Chief Clerk

To:

Application No.

**Notice specifying new matter in respect of which the appellant is to  
adduce evidence in accordance with Article 16(4)(b) of the Criminal  
Injuries (Compensation) (Northern Ireland) Order 1988**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER of an appeal under Article 16 of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988.

Between

of

Applicant

and

the Secretary of State  
Respondent

Application No. \_\_\_\_\_

The Applicant hereby gives Notice pursuant to Article 16(4)(b) of the Criminal  
Injuries (Compensation) (Northern Ireland) Order 1988 of the following matter:—

*(specify details of the new matter)*

Dated this       day of       19

Applicant/or  
Solicitor for  
Applicant

To the respondent Secretary of State

**Application under Article 18(4) of the Criminal Injuries (Compensation)  
(Northern Ireland) Order 1988 for Order directing person to whom  
compensation has been paid to reimburse to Secretary of State  
compensation paid under that Order**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under Article 18(4) of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988.

Between

the Secretary of State  
Applicant

and

of

Respondent

Application No. (including number of original application for compensation)

WHEREAS compensation has been paid to the respondent by the Secretary of State  
under the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 in the sum  
of £ [together with the sum of £ for costs and £ for witnesses' fees and  
expenses incurred making £ in the aggregate] in respect of the following criminal  
injury:—

*(details of injury)*

being an injury directly attributable to the following:—

which took place at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
*(give details)*

AND WHEREAS it appears that the Respondent failed to make full and true  
disclosure of the following facts material to the determination of the application for  
compensation, that is to say:—

*(give details)*

APPLICATION IS HEREBY MADE under Article 18(4) of the said Order of 1988 by  
the Secretary of State to the County Court/Recorder's Court for the above Division [at  
the sitting to be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
at the hour of \_\_\_\_\_ at \_\_\_\_\_ Courthouse] for an order directing you to  
reimburse to the Secretary of State the said sum paid under the said Order or such part  
thereof as the Court may direct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Signed:

Solicitor for Secretary of State

To

of

**Order under Article 18(4) of the Criminal Injuries (Compensation)  
(Northern Ireland) Order 1988 directing person to whom compensation  
has been paid to reimburse to Secretary of State compensation paid  
under that Order**

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an application under Article 18(4) of the Criminal Injuries  
(Compensation) (Northern Ireland) Order 1988.

Between

\_\_\_\_\_ the Secretary of State

Applicant

and  
of

\_\_\_\_\_ Respondent

Application No. \_\_\_\_\_

IT APPEARING TO THE COURT that an application under Article 18(4) of the  
Criminal Injuries (Compensation) (Northern Ireland) Order 1988 was made to the  
Court for hearing at the \_\_\_\_\_ sittings:

AND THE COURT HAVING EXAMINED into the matter of such application;

AND IT FURTHER APPEARING that there has been paid the sum of £ \_\_\_\_\_ [together  
with the sum of £ \_\_\_\_\_ for costs and £ \_\_\_\_\_ for witnesses' fees and expenses incurred  
making £ \_\_\_\_\_ in the aggregate] by the Secretary of State as compensation under the  
Criminal Injuries (Compensation) (Northern Ireland) Order 1988 in respect of the  
following criminal injury:—

*(details of injury)*

being an injury directly attributable to the following:—

*(give details)*

which took place at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

AND IT FURTHER APPEARING that the Respondent failed to make full and true  
disclosure of all the facts material to the determination of the application for  
compensation.

IT IS THEREFORE ORDERED AND DIRECTED that the Respondent reimburse to the  
Secretary of State the sum of £ \_\_\_\_\_ being [part of] the sum paid under the said Order  
of 1988 [together with the sum of £ \_\_\_\_\_ for the costs and £ \_\_\_\_\_ for witnesses' fees  
and expenses incurred on the hearing of this application making £ \_\_\_\_\_ in the  
aggregate] [by instalments, the first of such instalments to be for the sum of £ \_\_\_\_\_ and  
to be paid on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, and the remaining instalments  
to be each for the sum of £ \_\_\_\_\_ and to be paid upon the \_\_\_\_\_ day of each succeeding  
\_\_\_\_\_ and so to continue until the sum is paid].

No. 249

Dated at

*County Courts*

this day of

19

1491

Signed:

Chief Clerk

(Seal)

Signed:

Solicitor for Secretary of State



**Notice of appeal to county court under section 63(3) of the Northern Ireland (Emergency Provisions) Act 1991 to extend the time to apply for compensation**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an appeal under section 63(3) of the Northern Ireland (Emergency Provisions) Act 1991

Between \_\_\_\_\_

Appellant

of

and

The Secretary of State  
Respondent

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division sitting at \_\_\_\_\_ on a date to be notified to the parties by the chief clerk against the refusal of a request made to the respondent by the appellant in writing on the \_\_\_\_\_ day of \_\_\_\_\_ to allow the appellant to extend the period during which an application for compensation under section 63(3) of the Northern Ireland (Emergency Provisions) Act 1991 may be made to him.

The grounds of appeal are as follows—  
(Here state grounds of appeal)

Dated this \_\_\_\_\_ day of \_\_\_\_\_

Signature of Appellant/  
Solicitor for Appellant  
Name and address of  
Agent/Solicitor

To:—

- (a) The Chief Clerk at  
(address of courthouse)
- (b) The Secretary of state at  
(address of Department)
- (c) the following person(s)  
(Name(s) and address(es)) having an estate or interest in the property in respect of which an application for compensation has been made.

Note:

Attached to this notice served on the chief clerk must be—

- (a) any certificate of posting;
- (b) a copy of the notice served on the appellant by the Secretary of State under section 63(3) of the Act endorsed with a certificate as to the date of service of the notice on the appellant;
- (c) a copy of the application made to the Secretary of State under section 63(2) of the Act.

**Notice of appeal to county court under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991 against the amount of compensation awarded by the Secretary of State**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an appeal under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991.

Between

Appellant

of

and

The Secretary of State  
Respondent

Application No.

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division sitting at \_\_\_\_\_ on a date to be notified to the parties by the chief clerk against the decision of the Secretary of State under the above section served on [the appellant] on the \_\_\_\_\_ day of \_\_\_\_\_ awarding [the appellant] the sum of £ \_\_\_\_\_ as compensation.

The appeal is made on the following grounds:—

(Here state the precise grounds on which appeal is based and, where the appeal is against so much of the award as relates to specified items which are the subject of compensation, set out those items in numerical order giving the ground for appealing against the amount of the award relating to each item.)

Dated this \_\_\_\_\_ day of \_\_\_\_\_

Signature of Appellant/  
Solicitor for Appellant  
Name and address of  
Agent/Solicitor

To:—

(a)

The Chief Clerk at  
(address of  
courthouse)

(b) The Secretary of State at  
(address of Department)

(c) the following person(s)  
(Name(s) and address(es)) having an estate or interest in the property in respect of which an application for compensation has been made.

## Note:

Attached to this notice served on the chief clerk must be—

- (a) any certificate of posting;
- (b) a copy of the notice served on the appellant by the Secretary of State under section 63(4)(a) of the Act endorsed with a certificate as to the date of service of the notice on the appellant;
- (c) a copy of the application made to the Secretary of State under section 63(2) of the Act.

**Notice of appeal to county court under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991 against the decision of the Secretary of State to refuse an application for compensation**

[Title as in Form No. 374]

Application No.

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division sitting at \_\_\_\_\_ on a date to be notified to the parties by the chief clerk against the decision of the Secretary of State stated in a notice under section 63(4)(b) of the Northern Ireland (Emergency Provisions) Act 19 \_\_\_\_\_ served on [the appellant] on the \_\_\_\_\_ day of \_\_\_\_\_ refusing an application for compensation.

The appeal is made on the following grounds:—

(Here state the precise grounds on which the appeal is based.)

Dated this \_\_\_\_\_ day of \_\_\_\_\_

Signature of Appellant/  
Solicitor for Appellant  
Name and address of  
Agent/Solicitor

To:—

- (a) The Chief Clerk at  
(address of courthouse)
- (b) The Secretary of State at  
(address of Department)
- (c) The following person(s)  
(name(s) and address(es)) having an estate or interest in the property in respect of which an application for compensation has been made.

Note:

Attached to this notice served on the chief clerk must be—

- (a) any certificate of posting;
- (b) a copy of the notice served on the appellant by the Secretary of State under section 63(4)(b) of the Act endorsed with a certificate as to the date of service of the notice on the appellant;
- (c) a copy of the application made to the Secretary of State under section 63(2) of the Act.

**Certificate of order by county court allowing an appeal under section 63(3) of the Northern Ireland (Emergency Provisions) Act 1991 against the refusal of a request made to the Secretary of State to extend the time to apply for compensation**

[Title as in Form No. 373]

Application No.

UPON AN APPEAL made by the appellant on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ under section 63(3) of the Northern Ireland (Emergency Provisions) Act 1991 heard at the \_\_\_\_\_ sitting;

AND WHEREAS the appellant made a request in writing on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ to the respondent under section 63(2)(b) of that Act to extend the period during which an application may be made under section 63(2) to him for compensation in respect of the following act—

*(Here specify the act by which the property of the appellant is alleged to have been taken, occupied, destroyed or damaged or specify any other act alleged to have been done under the Northern Ireland (Emergency Provisions) Act 1991 interfering with the appellant's private rights of property.)*

and the respondent on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ served notice of his refusal on [the appellant] of the request;

AND THE COURT HAVING EXAMINED into the matter of such appeal;

IT WAS ORDERED that the appellant be allowed to make an application for compensation under section 63(2) of that Act not later than the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_;

AND IT WAS ORDERED that the appellant be paid by the respondent Secretary of State the sum of £ \_\_\_\_\_ for the costs of this appeal;

I THEREFORE CERTIFY for the purposes of section 25 of the Crown Proceedings Act 1947 that the aforesaid sum for costs is payable by the respondent Secretary of State.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

(Seal)

Chief Clerk  
Solicitor for Appellant

**Certificate of order by county court allowing an appeal against the amount of compensation awarded by the Secretary of State under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991**

*[Title as in Form No. 374]*

Application No.

UPON AN APPEAL made by the appellant on the          day of  
19          under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991  
heard at the          sitting;

AND WHEREAS the appellant was awarded the amount of £          as  
compensation by a decision of the respondent stated in a notice under section 63(4)(a)  
of the Northern Ireland (Emergency Provisions) Act 1991 and served on the applicant  
on the          day of          19          and the appellant has appealed under than  
section against that decision on the grounds specified in the notice of appeal;

AND THE COURT HAVING EXAMINED into the matter of such appeal and  
having found that the sum of £          is payable by the respondent Secretary of State to  
the appellant as compensation under section 63(1) of that Act;

IT WAS ORDERED that the sum of £          be paid to the appellant by the  
respondent;

AND IT WAS FURTHER ORDERED that the appellant be paid by the  
respondent the sum of £          for the costs of this appeal and the sum of £          for  
witnesses' expenses;

[AND IT WAS FURTHER ORDERED that the sum of £          lodged in court by  
the respondent be forthwith paid out to the appellant in part satisfaction of the amount  
ordered, costs and expenses.]

I THEREFORE CERTIFY, for the purposes of section 25 of the Crown  
Proceedings Act 1947 that the aforesaid sums are payable by the respondent Secretary  
of State.

Dated at          this          day of          19          .

(Seal)

Chief Clerk  
Solicitor for Appellant

**Certificate of order by county court allowing an appeal against the decision of the Secretary of State to refuse compensation under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991**

[Title as in Form No. 374]

Application No.

UPON AN APPEAL made by the appellant on the          day of  
19          under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991  
heard at the    sitting;

AND WHEREAS the respondent served on the appellant a notice under section 63(4)(b) of that Act on the          day of          19          stating that he had decided to refuse an application made by the appellant under section 63(2) of that Act for compensation and the appellant has appealed under that section against that decision on the grounds specified in the notice of appeal;

AND THE COURT HAVING EXAMINED into the matter of such appeal and having found that the sum of £          is payable by the respondent Secretary of State to the appellant as compensation under section 63(1) of that Act;

IT WAS ORDERED that the said sum of £          be paid to the appellant by the respondent;

AND IT WAS FURTHER ORDERED that the appellant be paid by the respondent the sum of £          for the costs of this appeal and the sum of £          for witnesses' expenses;

[AND IT WAS FURTHER ORDERED that the sum of £          lodged in court by the respondent be forthwith paid out to the appellant in part satisfaction of the amount ordered, costs and expenses.]

I THEREFORE CERTIFY for the purposes of section 25 of the Crown Proceedings Act 1947 that the aforesaid sums are payable by the respondent Secretary of State.

Dated at          this          day of          19

(Seal)

Chief Clerk  
Solicitor for Appellant

**Order by county court dismissing an appeal under section 63(3) of the Northern Ireland (Emergency Provisions) Act 1991 against the refusal of a request made to the Secretary of State to extend the time to apply for compensation**

[Title as in Form No. 373]

IT APPEARING to the court that on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ the appellant served notice of appeal under section 63(3) of the Northern Ireland (Emergency Provisions) Act 1991 against the refusal of a request made to the respondent Secretary of State by [the appellant] in writing on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ to allow [the appellant] to extend the period during which an application for compensation under section 63(2) of that Act may be made to him:

AND THE COURT HAVING EXAMINED into the matter of such appeal;

IT WAS ORDERED by the court that the appeal be and the same is hereby dismissed [and that the respondent Secretary of State do recover against the appellant the sum of £ \_\_\_\_\_ for costs and the sum of £ \_\_\_\_\_ for witnesses' expenses].

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(Seal)

Chief Clerk  
Solicitor for Respondent

FORM NO. 380

**Order by county court dismissing an appeal under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991 against the amount of compensation awarded by the Secretary of State**

[Title as in Form No. 374]

IT APPEARING to the court that on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ the appellant served notice of appeal under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1978 against the decision of the Secretary of State to award the sum of £ \_\_\_\_\_ as compensation under section 63 of that Act specified in a notice under section 63(4)(a) of that Act served on the appellant on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ ;

AND IT FURTHER APPEARING that the appellant has failed to prove that an amount of compensation greater than that specified in that notice is payable to the appellant by the respondent;

IT IS THEREFORE ORDERED by the court that the appeal be and the same is hereby dismissed [and that the respondent Secretary of State do recover against the appellant the sum of £ \_\_\_\_\_ for costs and the sum of £ \_\_\_\_\_ for witnesses' expenses].

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(Seal)

Chief Clerk  
Solicitor for Respondent



**Order by county court dismissing an appeal under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991 against the refusal of compensation***[Title as in Form No. 374]*

IT APPEARING to the court that on the            day of            19    the appellant served notice of appeal under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991 against the decision of the respondent Secretary of State refusing an application for compensation stated in a notice under section 63(4)(b) of that Act served on the appellant on the            day of 19    .

AND IT FURTHER APPEARING that the appellant has failed to prove that any compensation is payable under section 63 of that Act;

IT IS THEREFORE ORDERED by the court that the appeal be and the same is hereby dismissed [and the respondent Secretary of State do recover against the appellant the sum of £    for costs and the sum of £    for witnesses' expenses].

Dated at            this            day of            19    .

(Seal).

Chief Clerk  
Solicitor for Respondent

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FORM NO. 382

**Notice to appellant of payment into court by Secretary of State***[Title as in Form No. 374]*

TAKE NOTICE that the respondent Secretary of State has paid into Court the sum of £    [being £    ] in satisfaction of the appellant's claim for compensation under section 63 of the Northern Ireland (Emergency Provisions) Act 1991 and that in the event of the appellant agreeing to an award in the terms specified in this notice, the respondent undertakes to pay to the appellant the amount of any costs reasonably incurred by the appellant between the date on which the respondent served on him notice of his decision under section 63(4) \*(a)/(b) of that Act and the date of the lodgment as may be agreed between the appellant and the respondent or in default of agreement as may be settled by the district judge or by the judge on appeal.

Dated this            day of            19    .

*Signed:*  
(Rank) on behalf of the  
Secretary of State/Solicitor  
for Secretary of State

To:—

- (a) The Chief Clerk at  
(address of Crown and County Court Office)
- (b) The Appellant/Solicitor for Appellant

\*Delete as appropriate.

**Notice of acceptance of sum lodged in court by Secretary of State**

[Title as in Form No. 374]

TAKE NOTICE that the appellant accepts the sum of £                      paid into court by the respondent Secretary of State [being £                      ] in satisfaction of the appellant's claim for compensation under section 63 of the Northern Ireland (Emergency Provisions) Act 1991 without prejudice to his rights on foot of the respondent's undertaking regarding costs and expenses.

Dated this                      day of    19                      .

Signed:  
Appellant/Solicitor  
for Appellant

To:—

- (a) The Chief Clerk  
(address of Crown and County Court Office).
- (b) The Respondent Secretary of State/Solicitor for the Respondent (address of Department or office address of respondent's solicitor).

**Order approving acceptance by minor, in satisfaction of sum lodged by  
Secretary of State***[Title as in Form No. 374]*

IT APPEARING TO THE COURT that notice of appeal under section 63(4) of the Northern Ireland (Emergency Provision) Act 1991 was duly served on the respondent Secretary of State for hearing at the present sittings and that the sum of £            is payable by the Secretary of State as compensation under section 63 of that Act;

IT IS THEREFORE ORDERED that the chief clerk do [out of the sum lodged in court by the Secretary of State on foot of this claim pay the sum of £            to            and] transfer the [balance, namely] [sum of £            ] from the Criminal Injuries Account to the separate credit of            , a minor, without prejudice to the appellant's rights on foot of the respondent's undertaking regarding costs and expenses, to which there shall be added the sum of £            costs of this application and order;

AND IT IS FURTHER ORDERED that the sum when so transferred be invested by the Accountant General in            to abide further order;

AND IT APPEARING TO THE COURT that the said            is a minor having been born on            day of            19            and that it is necessary to appoint for him a Guardian of his fortune and that            his            is a fit and proper person to be appointed as such Guardian, has no interest in this matter adverse to the said minor and consents to be so appointed;

IT IS ORDERED that the said            be and he is hereby appointed Guardian of the fortune of the said minor during his minority or until further order.

Dated at            this            day of            19            .

Signed:  
Chief Clerk

Signed:  
Solicitor for Appellant

**Order where appellant does not on appeal under section 63(4) of Northern Ireland (Emergency Provisions) Act 1991 obtain a sum greater than the amount (with directions as to application of funds in court)**

*[Title as in Form No. 374]*

IT APPEARING TO THE COURT that notice of appeal under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991 was duly served on the respondent for hearing at the present sittings and the sum of £            is payable by the respondent Secretary of State to the appellant as compensation under section 63 of that Act;

AND IT FURTHER APPEARING TO THE COURT that the respondent Secretary of State did on the            day of            19            pay into Court the sum of £            in satisfaction of the appellant's claim to compensation which said sum so lodged is not less than the amount payable as recited above;

IT IS THEREFORE ORDERED by the Court that there be paid out of the sum so lodged in Court as aforesaid (1) to the Secretary of State the sum of £            for costs and (2) to the appellant the sum of £            \*in satisfaction of his claim for compensation;

AND IT IS FURTHER ORDERED that the balance of the sum so lodged in Court, namely £            , be paid out to the Secretary of State.

Dated at            this            day of            19            .

Signed:  
Chief Clerk

Signed:  
Solicitor for Appellant

\*Amount awarded for compensation under section 63 of the Act less the Secretary of State's costs of the appeal.

**Order where appellant does not on appeal under section 63(4) of Northern Ireland (Emergency Provisions) Act 1991 obtain a sum greater than the amount lodged and is a minor**

[Title as in Form No. 374]

IT APPEARING TO THE COURT that notice of appeal under section 63(4) of the Northern Ireland (Emergency Provisions) Act 1991 was duly served on the respondent for hearing at the present sittings and that the sum of £        is payable by the respondent to the appellant as compensation under section 63 of that Act and that the respondent had lodged in Court the sum of £        in satisfaction of the appellant's claim for such compensation as is the subject of the appeal from the Secretary of State's decision;

IT IS ORDERED that the chief clerk do out of the sum lodged in Court [pay the sum of £        to        for the use and benefit of the said minor and do] transfer the [balance, namely] [sum of £        ] from the Criminal Injuries Account to the separate credit of        , a minor;

AND IT IS FURTHER ORDERED that the sum when so transferred to be invested in

AND IT APPEARING TO THE COURT that the appellant is a minor, having been born on the        day of        19        , and it is necessary to appoint for him a Guardian of his fortune and that        his        is a fit and proper person to be appointed such Guardian and has no interest in the matter adverse to the said minor and consents to be so appointed;

IT IS ORDERED THAT the said        be and he is hereby appointed Guardian of the fortune of the appellant during his minority or until further order.

Dated at        this        day of        19        .

Signed:  
Chief Clerk

(Seal)

Signed:  
Solicitor for Appellant

**Notice of payment into court by Secretary of State under Order 54, Rule 3 of the County Court Rules (Northern Ireland) 1981**

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF the Northern Ireland (Emergency Provisions) Act 1991.

AND IN THE MATTER of payment into Court as provided by Rule 3 Order 54 of the County Court Rules (Northern Ireland) 1981

Between

Appellant

of

and

The Secretary of State  
Respondent

WHEREAS, in pursuance of an affidavit filed in the Court on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ (a copy of which is attached hereto) the Secretary of State on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ did pay the sum of £ \_\_\_\_\_ being compensation to which the appellant named in the said affidavit is entitled under section 63 of the Northern Ireland (Emergency Provisions) Act 1991, into the County Court/Recorder's Court for the above-named Division in accordance with Rule 3 of Order 54 of the County Court Rules (Northern Ireland) 1981, to be dealt with in accordance with the orders of the Court.

TAKE NOTICE that any person interested in or entitled to the said compensation may apply to this Court respecting the investment, payment out, or mode of dealing with the said sum or the income thereof.

Chief Clerk

To:

(Full names of person appearing to have right to receive compensation)

of

(address)

**Certificate of chief clerk of payment into court under Rule 3 of Order 54  
of the County Court Rules (Northern Ireland) 1981**

*[Title as in Form No. 387]*

I HEREBY CERTIFY THAT \_\_\_\_\_ has on the \_\_\_\_\_ day of  
19\_\_\_\_, filed with me, the chief clerk of this Court, an affidavit  
entitled as above-mentioned, with reference to a payment into Court by the Secretary  
of State of £ \_\_\_\_\_ which sum was duly paid into the [County Court Account] of the  
County Court Bank under the provisions of Rule 3 of Order 54 of the County Court  
Rules (Northern Ireland) 1981, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Chief Clerk

To:—

<i>Year and Number</i>	<i>Rule</i>	<i>Extent of revocation</i>
S.R. 1983 No. 434	County Court (Criminal Damage Compensation) Rules (Northern Ireland) 1983	The whole Rules
S.R. 1988 No. 221	Emergency Provisions (Compensation) Rules (Northern Ireland) 1988	The whole Rules except Rule 1(2)
S.R. 1988 No. 282	County Court (Criminal Injuries to the Person) (Compensation) Rules (Northern Ireland) 1988	The whole Rules except Rule 2(3)
S.R. 1990 No. 279	County Court (Criminal Damage Compensation) (Amendment) Rules (Northern Ireland) 1990	Rules 1 to 3 and Schedule 1
S.R. 1990 No. 441	Emergency Provisions (Compensation) (Amendment No. 2) Rules (Northern Ireland) 1990	The whole Rules

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### EXPLANATORY NOTE

*(This note is not part of the Rules.)*

These rules consolidate:

- (a) The County Court (Criminal Damage Compensation) Rules (Northern Ireland) 1983;
- (b) The County Court (Criminal Injuries to the Person) (Compensation) Rules (Northern Ireland) 1988; and
- (c) The Emergency Provisions (Compensation) Rules (Northern Ireland) 1988.

and govern the procedure in the county court on appeal under:—

- (a) the Criminal Damage (Compensation) (Northern Ireland) Order 1977;
- (b) the Criminal Injuries (Compensation) (Northern Ireland) Order 1988;
- (c) the Northern Ireland (Emergency Provisions) Act 1978; and
- (d) the Northern Ireland (Emergency Provisions) Act 1991.