
DRAFT STATUTORY INSTRUMENTS

2002 No.

Criminal Injuries Compensation (Northern Ireland) Order 2002

PART II

NORTHERN IRELAND CRIMINAL INJURIES COMPENSATION SCHEME

Basis on which compensation is to be calculated

4.—(1) The amount of compensation payable under an award shall be determined in accordance with the provisions of the Scheme.

(2) Provision shall be made for—

- (a) a standard amount of compensation, determined by reference to the nature of the injury;
- (b) in such cases as may be specified, an additional amount of compensation calculated with respect to loss of earnings;
- (c) in such cases as may be specified, an additional amount of compensation calculated with respect to special expenses; and
- (d) in cases of fatal injury to a person, a bereavement support payment to acknowledge the grief and sorrow caused by the death of that person and the loss of that person's care, guidance and society, and such additional amounts as may be specified or otherwise determined in accordance with the Scheme.

(3) Provision shall be made for the standard amount to be determined—

- (a) in accordance with a table ("the Tariff") prepared by the Secretary of State as part of the Scheme and such other provisions of the Scheme as may be relevant; or
- (b) where no such provision is made in the Tariff with respect to the injury in question, in accordance with such provisions of the Scheme as may be relevant.

(4) The Tariff shall show, in respect of each description of injury mentioned in the Tariff, the standard amount of compensation payable in respect of that description of injury.

(5) An injury may be described in the Tariff in such a way, including by reference to the nature of the injury, its severity or the circumstances in which it was sustained, as the Secretary of State considers appropriate.

(6) The Secretary of State may at any time alter any provision of the Scheme, and may in particular alter the Tariff—

- (a) by adding to the descriptions of injury mentioned there;
- (b) by removing a description of injury;
- (c) by increasing or reducing the amount shown as the standard amount of compensation payable in respect of a particular description of injury; or
- (d) in such other way as he considers appropriate.

(7) The Scheme may—

- (a) provide for amounts of compensation not to exceed such maximum amounts as may be specified;
- (b) include such transitional provision with respect to any alteration of its provisions relating to compensation as the Secretary of State considers appropriate.