



Criminal Injuries Compensation Act 1995

1995 CHAPTER 53

2 **Basis on which compensation is to be calculated.** **E+W+S**

- (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, 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 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 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

Changes to legislation: Criminal Injuries Compensation Act 1995, Section 2 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (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.

Changes to legislation:

Criminal Injuries Compensation Act 1995, Section 2 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5A inserted by [2007 c. 15 Sch. 8 para. 34](#)
- s. 7A-7D inserted by [2004 c. 28 s. 57\(2\)](#) (The amending provision is itself amended (S.) (8.12.2005) by 2005 asp 14, ss. 20, 24(1) and those amendments have the effect of extending 2004 c. 28, s. 57 to Scotland)