

Status: Point in time view as at 07/07/2005.

Changes to legislation: Damages Act 1996 is up to date with all changes known to be in force on or before 12 June 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)

SCHEDULE

Section 6(9).

GUARANTEES BY NORTHERN IRELAND DEPARTMENTS FOR PUBLIC SECTOR SETTLEMENTS

- 1 This Schedule applies where—
- (a) a claim or action for damages for personal injury is settled [^{F1}on terms whereby the damages are to consist wholly or partly of periodical payments]; or
 - (b) a court awarding damages for personal injury makes an order incorporating such terms.

Textual Amendments

- F1** Words in Sch. para. 1(a) substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), [ss. 101\(3\), 110\(1\)](#); [S.I. 2005/910](#), [art. 3\(w\)](#); [S.I. 2005/910](#), [art. 3\(w\)](#)

- 2 If it appears to a Northern Ireland department that the payments are to be made by a body in relation to which that department has, by virtue of this Schedule, power to do so, that department may guarantee the payments to be made under the agreement or order.
- 3 The bodies in relation to which a Northern Ireland department may give such a guarantee shall, subject to paragraph 4 below, be such bodies as are designated in relation to that department by guidelines agreed upon between that department and the Department of Finance and Personnel in Northern Ireland.
- 4 A guarantee purporting to be given by a Northern Ireland department under this Schedule shall not be invalidated by any failure on the part of that department to act in accordance with such guidelines as are mentioned in paragraph 3 above.
- 5 A guarantee under this Schedule shall be given on such terms as the Northern Ireland department concerned may determine but those terms shall in every case require the body in question to reimburse that department, with interest, for any sums paid by that department in fulfilment of the guarantee.
- 6 A Northern Ireland department which has given one or more guarantees under this Schedule shall, as soon as possible after the end of each financial year, lay before the Northern Ireland Assembly a statement showing what liabilities are outstanding in respect of the guarantees in that year, what sums have been paid in that year in fulfilment of the guarantees and what sums (including interest) have been recovered in that year in respect of the guarantees or are still owing.

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