



Historical Institutional Abuse (Northern Ireland) Act 2019

2019 CHAPTER 31

PART 1 **N.I.**

THE HISTORICAL INSTITUTIONAL ABUSE REDRESS BOARD

Entitlement to compensation

4 Exclusions from entitlement to claim compensation **N.I.**

- (1) An application for compensation may (subject to subsections (3) to (5)) not be made under this Part by or in respect of a person who suffered abuse if—
 - (a) a court has dismissed a claim arising from a relevant matter brought by or in respect of that person, or
 - (b) proceedings on a claim arising from a relevant matter brought by or in respect of that person against a government department (including a Northern Ireland department) or other public body or any other body, society or organisation are pending before a court.
- (2) A “relevant matter” is a matter on which an application for compensation under this Part could be based, but for subsection (1)(a) or (b).
- (3) Subsection (1)(a) does not apply if the claim in question was dismissed solely because the period of limitation for bringing proceedings on the claim had expired.
- (4) Subsection (1)(b) does not prevent an application for compensation being made under this Part if the claimant withdraws the claim in question.
- (5) An application for compensation may be made under this Part despite subsection (1) (a) or (b) if it relates to abuse suffered in an institution managed by a body, society or organisation other than a body, society or organisation which managed any institution to which the claim referred to in subsection (1)(a) or (b) related.

Changes to legislation: There are currently no known outstanding effects for the Historical Institutional Abuse (Northern Ireland) Act 2019, Section 4. (See end of Document for details)

- (6) The reference in subsection (5) to managing an institution is a reference to providing residential accommodation in that institution.

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Commencement Information

II S. 4 in force at 27.3.2020 by S.R. 2020/48, art. 2(a)

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