



Management of Offenders etc. (Scotland) Act 2005

2005 asp 14

Miscellaneous

20 Recovery of criminal injuries compensation from offenders

- (1) The Criminal Injuries Compensation Act 1995 (c. 53) is amended as provided for in subsection (2) of section 57 of the Domestic Violence, Crime and Victims Act 2004 (c. 28).
- (2) But in the provision to be inserted, by virtue of subsection (1) (above), into that Act of 1995—
 - (a) as section 7A(1), for the words “Secretary of State” substitute “Scottish Ministers”;
 - (b) as section 7B(3), for the words “Secretary of State” substitute “Scottish Ministers”; and
 - (c) as section 7D, for subsection (4) substitute—
 - “(4) For the purposes of section 6(3) of the Prescription and Limitation (Scotland) Act 1973 (extinction of obligations by prescriptive periods of 5 years), the date when the obligation to pay that amount became enforceable shall be taken to be—
 - (a) the date on which the compensation was paid; or
 - (b) if later, the date on which the person from whom the amount is sought to be recovered was convicted of an offence to which the injury is directly attributable.”.
- (3) In section 11 of that Act of 1995, after subsection (8) insert—
 - “(8A) No regulations under section 7A(1) or order under section 7B(3) shall be made unless a draft of the regulations or order has been laid before, and approved by a resolution of, the Scottish Parliament.”.
- (4) In Schedule 1 to the Prescription and Limitation (Scotland) Act 1973 (c. 52), in paragraph 1 (application of section 6 of that Act), after sub-paragraph (d) insert—

Status: This is the original version (as it was originally enacted).

“(dd) to any obligation arising by virtue of section 7A(1) of the Criminal Injuries Compensation Act 1995 (recovery of compensation from offenders: general);”.