
STATUTORY INSTRUMENTS

1977 No. 1248

**Criminal Injuries (Compensation)
(Northern Ireland) Order 1977**

Earnings etc. in relation to compensation

7.—(1) Where the victim of a criminal injury survives, the compensation payable in respect of the matter mentioned in Article 5(1)(*b*) shall be determined on the basis of a weekly rate which shall have regard to all relevant circumstances, and, in particular, to his actual earnings, if any, during the six months immediately preceding the date on which the criminal injury was sustained.

(2) The compensation, if any, payable in respect of the matter mentioned in Article 5(1)(*b*) or (*c*) shall be determined—

- (a) where the victim dies, having regard to the total annual income of the victim, both earned and unearned;
- (b) without regard to the^{F1} Fatal Accidents (Northern Ireland) Order 1977^{F1} or to Part III of the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1937 ; and
- (c) save as expressly provided by this Order, without reference to any loss or gain to his estate consequent on the injury.

(3) In calculating the compensation payable to the dependants of a victim who dies, he shall, until the contrary is proved, be taken to have spent one-fifth of his income on himself.

(4) In this Article “income” means the amount of a person's income after taking account of—

- (a) income tax;
- (b) social security contributions under the Social Security (Northern Ireland) Act 1975 or any corresponding enactment in force in Great Britain or similar contributions under the law of any country, state or territory whatsoever;
- (c) in the case of an employed person, any amount deducted from his remuneration by his employer by way of superannuation contributions.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Injuries (Compensation) (Northern Ireland) Order 1977, Section 7.