

---

DRAFT STATUTORY INSTRUMENTS

---

**2002 No.**

**Criminal Injuries Compensation (Northern Ireland) Order 2002**

**PART II**

**NORTHERN IRELAND CRIMINAL INJURIES COMPENSATION SCHEME**

**Claims and awards**

5.—(1) The Scheme shall include provision for claims for compensation to be determined and awards and payments of compensation to be made by the Secretary of State.

(2) The Scheme may, in particular, include provision—

- (a) as to the circumstances in which an award may be withheld or the amount of compensation reduced;
- (b) for an award to be made subject to conditions;
- (c) for the whole or any part of any compensation to be repayable in specified circumstances;
- (d) for compensation to be held subject to trusts, in such cases as may be determined in accordance with the Scheme;
- (e) requiring claims under the Scheme to be made within such periods as may be specified by the Scheme; and
- (f) imposing other time limits.

(3) Where, in accordance with any provision of the Scheme, it falls to one person to satisfy another as to any matter, the standard of proof required shall be that applicable in civil proceedings.

(4) Where, in accordance with any provision of the Scheme made by virtue of paragraph (2)(c), any amount falls to be repaid it shall be recoverable as a debt due to the Crown.

(5) The Scheme may include provision requiring the Chief Constable to provide to a person making a claim under the Scheme a copy of any document relevant to that claim which he supplies to the Secretary of State, unless the Chief Constable would not be compelled to give that document in evidence or produce it in civil proceedings before the High Court.