
STATUTORY INSTRUMENTS

2005 No. 474

**DAMAGES, ENGLAND AND WALES
DAMAGES, NORTHERN IRELAND**

**The Damages (Government and
Health Service Bodies) Order 2005**

<i>Made</i>	- - - -	<i>4th March 2005</i>
<i>Laid before Parliament</i>		<i>9th March 2005</i>
<i>Coming into force</i>	- -	<i>1st April 2005</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 2A(2) of the Damages Act 1996⁽¹⁾, hereby makes the following Order:

1.—(1) This Order may be cited as the Damages (Government and Health Service Bodies) Order 2005 and shall come into force on 1st April 2005.

(2) This Order extends to England and Wales and Northern Ireland.

2.—(1) The government bodies listed in Part 1 of the Schedule to this Order are hereby designated under section 2A(2) of the Damages Act 1996 as government bodies for the purposes of section 2(4)(c) and (7)(d) of that Act.

(2) The health service bodies listed in Part 2 of the Schedule to this Order are hereby designated under section 2A(2) of the Damages Act 1996 as health service bodies for the purposes of section 2(4)(c) and (7)(d) of that Act.

Signed by authority of the Lord Chancellor

Date 4th March 2005

David Lammy
Parliamentary Under Secretary of State
Department for Constitutional Affairs

⁽¹⁾ 1996 c. 48; section 2A was inserted by the Courts Act 2003 (c. 39), section 100.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 2

PART 1

Designated government bodies

Department for Constitutional Affairs
Department for Culture, Media and Sport
Ministry of Defence
Office of the Deputy Prime Minister
Department for Education and Skills
Department for Environment, Food and Rural Affairs
Department of Health
Home Office
Foreign and Commonwealth Office
Commissioners of Inland Revenue and Commissioners of Customs and Excise
Department for International Development
Northern Ireland Office
Department of Trade and Industry
Department for Transport
HM Treasury
Wales Office
Department for Work and Pensions
National Assembly for Wales
Department of Health, Social Services and Public Safety (Northern Ireland)

PART 2

Designated health service bodies

National Health Service Litigation Authority
In Wales, NHS Trusts
In Wales, Local Health Boards
In Northern Ireland, Health and Social Services Boards
In Northern Ireland, Health and Social Services Trusts
In Northern Ireland, Health and Personal Social Services Agencies and Special Agencies

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates bodies as government and health service bodies for the purposes of section 2(4)(c) and (7)(d) of the Damages Act 1996. A court may not make an order that damages for future pecuniary loss for personal injury are to take the form of periodical payments unless the continuity of payment is reasonably secure. One of the circumstances in which payment is reasonably secure is where the source of payment is a designated government or health service body. Later alterations in the method of payment are also permitted, without the need for further approval by the court, where the source of payment is a designated government or health service body.