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STATUTORY INSTRUMENTS

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**1977 No. 1247**

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

**Appeals**

**15.**—(1) The Secretary of State shall serve notice of any decision, determination or order made by him on or in connection with an application (including a request submitted to him under Article 7(3)) for compensation on every person who appears to him likely to be affected thereby and, subject to paragraph (2), any person aggrieved by that decision, determination or order may within six weeks from the service of notice thereof upon him appeal to the county court in accordance with county court rules against that decision, determination or order (unless it is under Article 12(5)) but unless he so appeals within that time such decision, determination or order shall become in all respects final and binding.

(2) A notice served under paragraph (1) or under Article 11(2) shall inform the persons to whom it is addressed of the terms of paragraph (1).

(3) Where an appeal under paragraph (1) relates to the amount of any compensation or costs to be paid by the Secretary of State, the Secretary of State shall have the like right to make a payment into the county court as a defendant has in an action in that court and—

(a) where such a payment is made by the Secretary of State it shall, notwithstanding any provision to the contrary contained in section 22( c) of the Interpretation Act (Northern Ireland) 1954 or in any other enactment, have the like consequences as regards liability to pay the costs of the appeal as a payment made into court by a defendant has as regards liability to pay the costs of such an action;

(b) the procedure and practice relating to payments made by the Secretary of State under this paragraph may be regulated by county court rules.

(4) Subject to paragraph (3) and to section 21A of the Crown Proceedings Act 1947, the county court may award costs to or against any party to or person appearing on any proceedings under this Order.

(5) Without prejudice to section 22 of the Crown Proceedings Act 1947, an appeal from any order made by a county court on or in connection with any proceedings under this Order, shall lie at the instance of—

(a) the Secretary of State; or

(b) any person who appeared or might have appeared on the hearing of those proceedings; as if the order had been made in exercise of the jurisdiction conferred by Part III of the County Courts [<sup>F1</sup> (Northern Ireland) Order 1980 and the appeal were brought under Part VI of that Order].

(6) Nothing in this Order or in any county court rule or in any other statutory provision whatsoever shall authorise the Secretary of State or the court to extend the time for bringing an appeal under this Article.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Damage (Compensation) (Northern Ireland) Order 1977, Section 15.