
STATUTORY INSTRUMENTS

2002 No. 796

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

PART II

NORTHERN IRELAND CRIMINAL INJURIES COMPENSATION SCHEME

Appeals

7.—(1) The Scheme shall include provision—

- (a) for rights of appeal against decisions taken on reviews under provisions of the Scheme made by virtue of Article 6; and
- (b) for such appeals to be determined by persons (“adjudicators”) appointed for the purpose by the [^{F1}Northern Ireland Judicial Appointments Commission].

(2) The Scheme may include provision—

- (a) for adjudicators to be appointed as members of a body having responsibility (in accordance with the provisions of the Scheme) for dealing with appeals;
- (b) for the appointment by the [^{F1}Northern Ireland Judicial Appointments Commission] of one of the members of that body to be its chairman;
- (c) for the appointment of staff by the Secretary of State for the purpose of administering those provisions of the Scheme which relate to the appeal system.

(3) Any person appointed under this Article by the Secretary of State [^{F2}or the Northern Ireland Judicial Appointments Commission]—

- (a) shall be appointed on such terms and conditions as the [^{F3}person making the appointment determines] ; but
- (b) shall not be regarded as having been appointed to exercise functions of the Secretary of State or to act on his behalf.

[^{F4}(3A) For an appointment by the Northern Ireland Judicial Appointments Commission, the terms and conditions mentioned in paragraph (3)(a) are to be determined with the agreement of the [^{F5}Department of Justice].]

(4) No decision taken by an adjudicator shall be regarded as having been taken by, or on behalf of, the Secretary of State.

(5) The Scheme shall include provision as to the giving of advice by adjudicators to the Secretary of State.

(6) ^{F6}.....

(7) The power conferred by Article 5(2)(a) to provide for the reduction of an amount of compensation includes power to provide for a reduction where, in the opinion of the adjudicator or adjudicators determining an appeal, the appeal is frivolous or vexatious.

- F1** Words in art. 7(1)(b)(2)(b) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 39(2)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F2** Words in art. 7(3) inserted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 39(3)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F3** Words in art. 7(3)(a) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 39(4)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F4** Art. 7(3A) inserted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 39(5)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F5** Words in art. 7(3A) substituted (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), ss. 1(5), 3(2), **Sch. para. 15**; S.R. 2010/147, **art. 2(2)**
- F6** Art. 7(6) omitted (12.4.2010) by virtue of Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 39(6)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Injuries Compensation (Northern Ireland) Order 2002, Section 7.