

SCHEDULE 10

Article 3

CRIMINAL INJURIES COMPENSATION APPEALS PANEL  
CRIMINAL INJURIES COMPENSATION AUTHORITY  
CRIMINAL INJURIES COMPENSATION BOARD

PART I

APPLICATION, INTERPRETATION AND TRANSITIONAL PROVISION

1.—(1) This Schedule shall apply to the—

- (a) Criminal Injuries Compensation Appeals Panel;
- (b) Criminal Injuries Compensation Authority; and
- (c) Criminal Injuries Compensation Board.

(2) In this Schedule—

“CICAP” means the Criminal Injuries Compensation Appeals Panel;

“CICA” means the Criminal Injuries Compensation Authority;

“CICB” means the Criminal Injuries Compensation Board;

“the 1990 Scheme” means the Criminal Injuries Compensation Scheme 1990;

“the 1996 Scheme” means the Criminal Injuries Compensation Scheme 1996;

“the 1995 Act” means the Criminal Injuries Compensation Act 1995(1).

(3) Any adjudicator appointed by the Secretary of State for Scotland prior to the principal appointed day and holding office on that day shall be treated, on or after that day, as having been appointed by the Scottish Ministers.

PART II

MODIFICATIONS

**Criminal Injuries Compensation Act 1995 (c. 53)**

2.—(1) The Criminal Injuries Compensation Act 1995 is amended as follows.

(2) In the definition of “adjudicator” in section 1(4), after “Secretary of State” there is inserted “or the Scottish Ministers”.

(3) In section 5(1)(b), after “Secretary of State” there is inserted “or the Scottish Ministers”.

(4) After section 5(1) there is inserted—

“(1A) Subject to subsection (1B) below, the adjudicators shall be appointed by the Secretary of State after consultation with the Scottish Ministers.

(1B) Five of the adjudicators, or such greater number as the Secretary of State may agree, are to be appointed by the Scottish Ministers after consultation with the Secretary of State”.

(5) For section 5(4) there shall be substituted—

“(4) Any person appointed under this section by the Secretary of State or, as the case may be, the Scottish Ministers—

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(1) 1995 c. 53.

*Status: This is the original version (as it was originally made).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

- (a) shall be appointed on such terms as the Secretary of State or the Scottish Ministers consider appropriate; but
- (b) shall not be regarded as having been appointed to exercise functions of the Secretary of State or the Scottish Ministers or to act on his or their behalf.”.

(6) In section 5(5), after “Secretary of State” there is inserted “or, as the case may be, the Scottish Ministers”.

(7) In section 5(7), after “may at any time” there is inserted, “after consultation with the Scottish Ministers or, in the case of an appointment made by the Scottish Ministers, the Scottish Ministers may at any time, after consultation with the Secretary of State,”.

### **Criminal Injuries Compensation Scheme 1990**

**3.—**(1) The Criminal Injuries Compensation Scheme 1990 is amended as follows.

(2) For the last sentence of paragraph 2 substitute—

“Their net expenditure will fall on the vote of the Home Department. Any expenditure incurred as regards Scotland shall be reimbursed to the Secretary of State by the Scottish Ministers.”.

(3) In paragraph 3—

- (a) for “Secretary of State for Scotland” there is substituted “Scottish Ministers”; and
- (b) after “Parliament” there is inserted “and in the Scottish Parliament”.

### **Criminal Injuries Compensation Scheme 1996**

**4.—**(1) The Criminal Injuries Compensation Scheme 1996 is amended as follows.

(2) In the second sentence of paragraph 4, after “Secretary of State” there is inserted “and the Scottish Ministers”.

(3) After paragraph 49 there is inserted—

“**49A.** Any monies received by the Authority under paragraph 49 above that relate to criminal injuries sustained otherwise than in Scotland shall be paid to the Secretary of State and any such monies that relate to criminal injuries sustained in Scotland shall be paid to the Scottish Ministers”.