
STATUTORY INSTRUMENTS

2017 No. 371

The Riot Compensation Regulations 2017

Claim Procedures

Multiple interest claims

3.—(1) Where more than one person has, or claims to have, a legal interest in property in respect of which a section 1 claim may be made, a section 1 claim may be made by each person.

(2) For the purposes of paragraph (1)—

(a) in the case of residential premises including the common parts of those premises, a person has a legal interest in the property if, in relation to the property, that person is an insurer, mortgagee, freeholder, leaseholder or tenant;

(b) in the case of business premises including the common parts of those premises, a person has a legal interest in the property if—

(i) in relation to the property, that person is an insurer, mortgagee, freeholder, leaseholder or tenant; or

(ii) that person is using the property for the purposes of a business.

(3) In paragraph (2), “tenant” means a person entitled in possession to the property under a contract of tenancy.

Claim consolidation

4.—(1) No person may make more than one section 1 claim in relation to—

(a) property at the same postal address, or

(b) property comprising or within the common parts of residential premises or business premises.

(2) Despite paragraph (1), where an insurer claimant has provided building insurance to one person and contents insurance to another person in relation to property at the same postal address, it may make a separate insurer claim in relation to each of those types of insurance.

Claim handling

5.—(1) A section 1 claim must be made to the Authority.

(2) The claim must be made—

(a) in a hard copy form approved by the Authority,

(b) in an electronic form approved by the Authority, or

(c) orally by telephone or in person if the Authority offers appropriate facilities for the oral submission of claims.

(3) A claim made under paragraph (2)(a) must be sent by post or delivered by hand to the Authority.

(4) A claim made under paragraph (2)(b) must be submitted to the Authority by an electronic means approved by the Authority.

Claim time limits

6.—(1) Subject to paragraph (3)—

(a) an ordinary claim must be made within—

(i) 43 days starting with the riot reference date unless the ordinary claimant makes a claim against an insurance company, under a policy of insurance, for the damage, destruction or theft of property in the course of the riot, or

(ii) 43 days starting with the date of issue by an insurance company of its decision to refuse or meet (partially or fully) a claim mentioned in paragraph (i);

(b) an insurer claim must be made within 43 days starting with the riot reference date.

(2) Except in the circumstances described in regulation 13, any further details and any evidence in support of the section 1 claim must be received by the Authority within 91 days starting with the day on which the claim—

(a) was received, if made under regulation 5(2)(a); or

(b) was made under regulation 5(2)(b) or (c).

(3) For the purposes of determining either 43-day period referred to in paragraph (1) and the 91-day period referred to in paragraph (2), any period during which paragraph (4) applies is to be disregarded.

(4) This paragraph applies to any period during which in the Authority’s opinion—

(a) an ordinary claimant is prevented from making, or submitting details or evidence (or both) in support of, an ordinary claim due to the ordinary claimant’s health, personal circumstances or other circumstances beyond the ordinary claimant’s control,

(b) an ordinary claimant or representative (if any) delays making, or submitting details or evidence (or both) in support of, an ordinary claim due to an unsettled legal issue concerning the ownership, rebuilding or repair of property relating to the claim, or

(c) an insurer claimant is prevented from making, or submitting details or evidence (or both) in support of, an insurer claim because—

(i) it has not received any related insurance claim against it, or

(ii) it has not received adequate details of, or adequate evidence relevant to, any such related insurance claim.

(5) In this regulation, “riot reference date” means, in relation to a riot, the date on which the riot ends and, for the purposes of this definition, a riot which occurs in any police area within 24 hours of the last riot (whether or not in the same area) is to be treated as part of the same riot.

Details and evidence in support of a claim

7.—(1) A section 1 claim must be supported by adequate details and adequate evidence of losses incurred.

(2) If an ordinary claimant is entitled to claim or has claimed compensation against an insurance company, under a policy of insurance, for the damage, destruction or theft in the course of the riot of all or any of the property which is the subject of the ordinary claim, the ordinary claim must include—

(a) adequate details of that policy, and

- (b) if the ordinary claimant has claimed compensation, adequate details of the claim and adequate evidence in support of it.
- (3) It is the duty of the Authority to determine whether adequate details and adequate evidence under paragraph (1) and (if applicable) paragraph (2) have been submitted.
- (4) The Authority may treat as lapsed (and accordingly refuse) a section 1 claim if, within the 91-day period determined in accordance with regulation 6, it considers that neither the claimant nor the representative (if any) has submitted to it adequate details of or adequate evidence in support of the claim..
- (5) The Authority may require any estimate of repair costs submitted as evidence of losses incurred to be prepared by contractors approved by it.

Local policing body's powers to delegate functions

- 8.—**(1) A local policing body may delegate to another person either or both of the following functions in relation to a section 1 claim—
- (a) dealing with procedural matters;
 - (b) making a decision.
- (2) The local policing body may only delegate functions—
- (a) under paragraph (1)(a) to a person it considers has the expertise and capacity to handle the volume of anticipated claims, and
 - (b) under paragraph (1)(b) to a person it considers has such expertise and capacity and providing the claim is for compensation for or to the value of £25,000 or less.