
STATUTORY INSTRUMENTS

1977 No. 1247

Criminal Damage (Compensation) (Northern Ireland) Order 1977

Reduction or exclusion of compensation

10.—(1) Compensation shall not be payable in respect of—

- (a) any loss suffered by reason of the total or partial destruction or unlawful removal of any coins, Treasury or bank notes, or currency of any country, any postal orders or post office money orders or any postage or other adhesive stamps;
- (b) any loss suffered by reason of damage of any kind to, or unlawful removal of, articles of personal ornament (including watches and jewellery) unless kept by the owner as part of his stock in trade; or
- (c) any loss if, and to the extent which, reparation or damage therefor has previously been recovered or is recoverable under any other statutory provision or has been recovered under the common law.

(2) Compensation shall not be payable for any loss where the person suffering the loss connived at, assisted in or actively and willingly facilitated the occurrence of or contributed to the damage or unlawful removal from which the loss arose or was, at or about the time of that damage or unlawful removal, associated or combined or in league with the person or persons causing it.

(3) Without prejudice to Article 9(1) compensation shall not be payable to or for the benefit of any person—

- (a) who has been a member of an unlawful association at any time whatsoever, or is such a member; or
- (b) who has been engaged in the commission, preparation or instigation of acts of terrorism at any time whatsoever, or is so engaged.

(4) Compensation shall not be payable in respect of an incorporeal hereditament (including an easement or profit or other right) or a loss of mere pleasure or amenity.

(5) Compensation shall not be payable in respect of so much of any loss as is attributable to any neglect or failure on the part of the person suffering that loss to take reasonable steps to minimise the extent thereof.

(6) Compensation shall not be payable in respect of any loss suffered by an applicant arising out of a particular act if the amount of that loss does not exceed^[F1] £200].

(7) Where any loss arising out of a particular act exceeds^[F1] £200], the compensation payable in respect of that loss shall be reduced by that sum, so however that no applicant may suffer a reduction in respect of more than one claim for the same property as a result of acts occurring during any period of twelve months.

(8) The Secretary of State may withhold payment of all or part of compensation until the applicant has complied with all reasonable requests for information and assistance which might lead to the identification and apprehension of the person or persons who committed the act giving rise to the claim for compensation.

Changes to legislation: There are currently no known outstanding effects for the Criminal Damage
(Compensation) (Northern Ireland) Order 1977, Section 10. (See end of Document for details)

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Changes to legislation:

There are currently no known outstanding effects for the Criminal Damage (Compensation) (Northern Ireland) Order 1977, Section 10.