
STATUTORY INSTRUMENTS

1977 No. 1247

Criminal Damage (Compensation) (Northern Ireland) Order 1977

Assessment of compensation

9.—(1) In determining whether any compensation should be paid in respect of any loss and, if so, its amount, the Secretary of State shall have regard to all such circumstances as are relevant and, without prejudice to the generality of the foregoing, shall have regard to—

- (a) any failure on the part of the applicant to take all reasonable precautions to reduce or avoid the loss;
- (b) any failure on the part of the applicant to comply with any statutory provision relating to the safety of property;
- (c) any unlawful purpose for which the property was being used and any unlawful use of the property (including its use for the unlawful sale and consumption of intoxicating liquor or, where the property is a motor vehicle, its use without there being in force in respect of that vehicle a licence under^{F1} the Vehicle Excise and Registration Act 1994], by the applicant, or by any other person with his consent whether express or implied, immediately before the occurrence of the act giving rise to the claim for compensation in respect of that property;
- (d) any provocative or negligent behaviour of the applicant which contributed, directly or indirectly, to the loss or increased the chances of its being sustained.

(2) To enable him to determine for the purposes of paragraph (1)(a) whether the applicant failed to take all reasonable precautions to reduce or avoid loss, the Secretary of State may serve a notice on the applicant requiring him to state the precautions which he took to reduce or avoid the loss.

F1 1994 c. 22

Changes to legislation:

Criminal Damage (Compensation) (Northern Ireland) Order 1977, Section 9 is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- [art.9\(1\)\(c\)](#) amended by [1994 c. 22 s. 63Sch.3 para 11](#)