



# Historical Institutional Abuse (Northern Ireland) Act 2019

## 2019 CHAPTER 31

### PART 1

#### THE HISTORICAL INSTITUTIONAL ABUSE REDRESS BOARD

#### *Award of compensation*

#### **13 Actuarial adjustment of award**

- (1) This section applies in a case where—
  - (a) an award of compensation is made under this Part, but
  - (b) compensation for having suffered the abuse in question has previously been paid to or in respect of the person who suffered it, and
  - (c) the amount of compensation awarded under this Part exceeds the amount of compensation referred to in paragraph (b).
- (2) The reference in subsection (1)(b) to the payment of compensation is a reference to the payment of compensation—
  - (a) in proceedings on a claim,
  - (b) in settlement of a claim (whether or not proceedings on the claim were brought before a court),
  - (c) under a scheme established under a statutory provision, or
  - (d) from any other source.
- (3) The panel appointed under section 8 may adjust the amount of the award of compensation under this Part by taking the following two steps.
- (4) The first step is to determine the value of the amount of compensation referred to in subsection (1)(b) by using the ratio published by the Treasury and known as the Gross Domestic Product deflator by reference to the period—
  - (a) beginning with the date on which that compensation was paid, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) ending with the date on which the establishment of the Board was advertised in the Belfast Gazette.
- (5) The second step is to deduct from the amount of the award of compensation under this Part an amount equivalent to the value determined under subsection (4).
- (6) In this section, “statutory provision” has the meaning given in section 1(f) of the Interpretation Act (Northern Ireland) 1954.