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STATUTORY INSTRUMENTS

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**2020 No. 103**

**The Victims' Payments Regulations 2020**

**PART 3**

Entitlement to victims' payments

**Convictions**

6.—(1) A person is not entitled to victims' payments in relation to a particular Troubles-related incident where the person—

- (a) has a conviction (whether spent or not), and
- (b) that conviction was in respect of conduct which caused, wholly or in part, that incident.

(2) A person is not entitled to victims' payments where the Board considers that the person's relevant conviction makes entitlement to victims' payments inappropriate.

(3) A person is not entitled to victims' payments where the President of the Board considers that the exceptional circumstances of the case, having regard to material evidence, make entitlement to victims' payments inappropriate.

(4) The Secretary of State may issue guidance to the Board regarding the circumstances in which a relevant conviction or exceptional circumstances makes entitlement to victims' payments inappropriate.

(5) The Board and the President must have regard to any guidance issued under paragraph (4) when taking a decision under paragraph (2) or (3).

(6) In this regulation, a person has a relevant conviction if, in respect of that conviction, they received a sentence which is—

- (a) excluded from rehabilitation under the Rehabilitation of Offenders Act 1974 <sup>M1</sup> as it applies in England and Wales;
- (b) an excluded sentence under the Rehabilitation of Offenders Act 1974 as it applies in Scotland, or
- (c) excluded from rehabilitation under the Rehabilitation of Offenders (Northern Ireland) Order 1978 <sup>M2</sup>.

(7) Until section 17 of the Management of Offenders (Scotland) Act 2019 <sup>M3</sup> is in force, the reference in paragraph (6)(b) to an excluded sentence is to be read as a reference to a sentence which is excluded from rehabilitation.

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**Commencement Information**

**I1** Reg. 6 in force at 29.5.2020, see reg. 1(3)

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**Marginal Citations**

**M1** 1974 c. 53.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Victims' Payments Regulations 2020, Section 6. (See end of Document for details)*

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**M2** S.I. 1978/1908 (N.I. 27).  
**M3** 2019 asp 14.

**Changes to legislation:**

There are currently no known outstanding effects for the The Victims' Payments Regulations 2020, Section 6.