



## **Interpretation**

2. The Interpretation Act (Northern Ireland) 1954 (c.33) shall apply to this Order as it applies to an Act of the Assembly.

## **Amendment to Criminal Damage (Compensation)(Northern Ireland) Order 1977**

3. After Article 4 (compensation for damage to agricultural buildings and property) of the Criminal Damage (Compensation)(Northern Ireland) Order 1977 (NI 14) there shall be inserted the following Article—

### **“Compensation for damage to certain buildings used or made available for use for charitable purposes**

**4A.**—(1) Where damage has been unlawfully, maliciously or wantonly caused to any building to which this Article applies, the Secretary of State shall, subject to the provisions of this Order, pay compensation to any person having an estate or interest in that building who suffers loss from that damage.

(2) This Article applies only in respect of damage caused as a result of an act committed after the commencement date.

(3) This Article applies to any building constituting or forming part of a hereditament which is distinguished in a valuation list maintained under Article 40(1) of the Rates (Northern Ireland) Order 1977 (NI 28) as exempt to any extent by virtue of Article 41(2)(e) of that Order, or as exempt by virtue of Article 41A of that Order, and which either—

- (a) (i) is shown in the list as being so distinguished at the time when the act causing the damage is committed; and
- (ii) does not cease to be so distinguished by alteration of the list in consequence of an application pursuant to Article 49(1) of that Order served on the district valuer before that time; or
- (b) is shown in the list as being so distinguished by subsequent alteration of the list in consequence of such an application served on the district valuer before that time.

(4) This Article shall, subject to paragraph (5), expire on the third anniversary of the commencement date.

(5) At any time while this Article is in operation (including a time when it is in operation by virtue of an order under this paragraph), the Secretary of State may by order provide that it shall continue in operation for a period not exceeding three years from the coming into operation of the order.

(6) On the expiry of this Article (whether pursuant to paragraph (4) or on the expiry of any extension under paragraph (5)), the Secretary of State shall not be liable to pay compensation under this Article, except as regards damage caused as a result of an act committed before its expiry.

(7) No order may be made under paragraph (5) unless a draft of the order has been laid before and approved by resolution of each House of Parliament.

(8) In this Article, “commencement date” means the date on which Article 3 of the Criminal Damage (Compensation)(Amendment)(Northern Ireland) Order 2008 comes into operation.”.

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

The Order amends the Criminal Damage (Compensation)(Northern Ireland) Order 1977 (NI 14). It provides an additional basis for compensation for damage caused to certain buildings which are used wholly or mainly for purposes declared to be charitable by the Recreational Charities Act (Northern Ireland) 1958 (c.16), or which are occupied by certain bodies and are used or made available for use for charitable purposes. The provision is limited to a period of three years from its coming into operation, but the Secretary of State may by order extend its operation for a further period or further successive periods, each not exceeding three years.