



Australian Capital Territory

# **Criminal Injuries Compensation Regulations**

**Subordinate Law No. 24 of 1998<sup>1</sup>**

The Australian Capital Territory Executive makes the following Regulations under the *Criminal Injuries Compensation Act 1983*.

Dated 22 June 1998.

GARY HUMPHRIES  
Minister

BRENDAN SMYTH  
Minister

## **1. Citation**

These Regulations may be cited as the *Criminal Injuries Compensation Regulations*.

**2. Commencement**

These Regulations commence on the day on which they are notified in the *Gazette*.

**3. Interpretation**

In these Regulations, unless the contrary intention appears—

“Act” means the *Criminal Injuries Compensation Act 1983*;

“appropriate court officer” means—

- (a) in the case of a levy imposed in respect of an offence dealt with by the Supreme Court—the Registrar of the Supreme Court; or
- (b) in the case of a levy imposed in respect of an offence dealt with by the Magistrates Court—the Registrar of the Magistrates Court;

“Director” means the Director of Corrective Services under the *Periodic Detention Act 1995*;

“levy” means a levy imposed under subsection 34D (1) of the Act.

**4. Notice of liability**

(1) Where a person becomes liable to pay a levy, the appropriate court officer shall cause a notice to be served—

- (a) if the person is detained in custody at the time the notice is to be served—on the Director; or
- (b) in any other case—on the person.

(2) After being served with a notice under paragraph (1) (a) in respect of a person, the Director shall cause the notice to be given to the person.

(3) A notice shall—

- (a) be in writing;
- (b) identify the person who is liable to pay the levy;
- (c) specify the conviction to which the notice relates;
- (d) contain a statement to the effect that the person is liable to pay the levy under section 34D of the Act;
- (e) specify the total amount of the levy and the amount which is unpaid at the date of the notice;
- (f) specify the place at which the levy is to be paid;

- (g) specify the date by which the levy is to be paid;
- (h) contain a statement to the effect that, under regulation 5, the relevant court officer may, on application by the person, fix a later due date for payment of the levy;
- (i) contain a statement to the effect that, under section 34D of the Act, any money paid to the Territory in respect of the offence which gave rise to the liability for the levy is to be applied towards the discharge of liability for the levy before it is applied towards the discharge of liability for any pecuniary penalty imposed in respect of the offence; and
- (j) contain a statement to the effect that if any part of the levy is unpaid after the due date, enforcement procedures may be initiated for the recovery of the unpaid amount.

## **5. Payment**

- (1) The due date for payment of a levy is 28 days after the date of the conviction which gave rise to the liability to pay the levy, subject to subregulation (2).
- (2) On application by a person who is liable to pay a levy, the appropriate court officer may fix a later due date for payment of the levy.
- (3) An application for a later due date for payment shall—
  - (a) be made in writing;
  - (b) specify the grounds on which it is made; and
  - (c) be lodged with the appropriate court officer before the initial due date for payment under subregulation (1).

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## **NOTE**

### **Notification**

- 1. Notified in the ACT Gazette on 26 June 1998.