



Australian Capital Territory

Victims of Crime (Financial Assistance) Regulations 1998 No 24

made under the

Victims of Crime (Financial Assistance) Act 1983

Republication No 2

Republication date: 12 September 2001

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Victims of Crime (Financial Assistance) Regulations 1998*, made under the *Victims of Crime (Financial Assistance) Act 1983* as in force on 12 September 2001. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

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Victims of Crime (Financial Assistance) Regulations 1998

made under the

Victims of Crime (Financial Assistance) Act 1983

1 Citation

These regulations may be cited as the *Victims of Crime (Financial Assistance) Regulations 1998*.

3 Definitions for regs

In these regulations:

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

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 the Act, section 68 (1).

3A Maximum legal fees

For the Act, section 47, the maximum amount of legal fees that a legal practitioner may charge or recover in respect of proceedings under the Act is \$650.

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 subregulation (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; and
 - (b) identify the person who is liable to pay the levy; and
 - (c) specify the conviction to which the notice relates; and
 - (d) contain a statement to the effect that the person is liable to pay the levy under the Act, section 68; and
 - (e) specify the total amount of the levy and the amount which is unpaid at the date of the notice; and
 - (f) specify the place at which the levy is to be paid; and
 - (g) specify the date by which the levy is to be paid; and
 - (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; and
 - (i) contain a statement to the effect that, under the Act, section 68, 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; and
 - (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).

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
o = order	sub = substituted
om = omitted/repealed	SL = Subordinate Law
	<u>underlining</u> = whole or part not commenced

Endnotes

3 Legislation history

3 Legislation history

The *Victims of Crime (Financial Assistance) Regulations 1998* were originally the *Criminal Injuries Compensation Regulations*. They were renamed as the *Victims of Crime (Financial Assistance) Regulations* by the *Victims of Crime (Financial Assistance) (Amendment) Act 1999* (see sch 3) and as the *Victims of Crime (Financial Assistance) Regulations 1998* in republication 2.

Criminal Injuries Compensation Regulations SL No 24

notified 26 June 1998

commenced 26 June 1998 (s 2)

as amended by

Victims of Crime (Financial Assistance) (Amendment) Act 1999 No 91 sch 3

notified 23 December 1999 (Gaz 1999 No S65)

s 1, s 2 commenced 23 December 1999 (s 2 (1))

sch 3 commenced 24 December 1999 (Gaz 1999 No S69)

Legislation (Consequential Amendments) Act 2001 No 44 pt 410

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 410 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

4 Amendment history

Citation

reg 1 am Act 1999 No 91 sch 3; R2 (LA)

Commencement

reg 2 om Act 2001 No 44 amdt 1.4251

Definitions

reg 3 am Act 1999 No 91 sch 3; Act 2001 No 44 amdt 1.4252
def **Act** om Act 2001 No 44 amdt 1.4253

Maximum legal fees

reg 3A am Act 1999 No 91 sch 3

Notice of liability

reg 4 am Act 1999 No 91 sch 3

5 Earlier republishings

Some earlier republishings were not numbered. The number in column 1 refers to the publication order.

Republishing No	Amendments to	Republishing date
1	Act 1999 No 91	1 March 2000

Authorised when accessed at www.legislation.act.gov.au or in authorised printed form

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