



Australian Capital Territory

# **Victims of Crime (Financial Assistance) Regulation 2016**

**SL2016-10**

made under the

**Victims of Crime (Financial Assistance) Act 2016**

**Republication No 9**

**Effective: 1 July 2024 – 30 June 2025**

Republication date: 1 July 2024

Last amendment made by [SL2024-7](#)

## About this republication

### The republished law

This is a republication of the *Victims of Crime (Financial Assistance) Regulation 2016*, made under the *Victims of Crime (Financial Assistance) Act 2016* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 July 2024. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 1 July 2024.

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](http://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 does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### 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 the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Victims of Crime (Financial Assistance) Regulation 2016

made under the

**Victims of Crime (Financial Assistance) Act 2016**

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R9  
01/07/24

Victims of Crime (Financial Assistance) Regulation 2016  
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Australian Capital Territory

# **Victims of Crime (Financial Assistance) Regulation 2016**

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made under the

**[Victims of Crime \(Financial Assistance\) Act 2016](#)**

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**1 Name of regulation**

This regulation is the *Victims of Crime (Financial Assistance) Regulation 2016*.

**3 Dictionary**

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation.

*Note 2* A definition in the dictionary applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

**4 Notes**

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

**5 Maximum total financial assistance—Act, s 24**

- (1) The following amounts are prescribed:
  - (a) for a primary victim—\$64 123;
  - (b) for a class A related victim—\$38 471;
  - (c) for a class B related victim—\$25 648;
  - (d) for a class C related victim—\$12 822;
  - (e) for a homicide witness—\$12 822.
- (2) However, if an application for financial assistance relates only to an act of violence that occurs in the course of an offence mentioned in the Act, schedule 1, division 1.2.2 (Family violence offences), the amount prescribed is \$12 822.

## 6 Immediate need payment—Act, s 26 (3)

- (1) A need mentioned in an item in table 6, column 2 is prescribed as an immediate need for which an immediate need payment may be made.
- (2) A condition mentioned in an item in table 6, column 3, is prescribed as a condition to making the immediate need payment for the immediate need mentioned in the item, column 2.
- (3) An amount mentioned in an item in table 6, column 4 is prescribed as the maximum amount of the immediate need payment for the immediate need mentioned in the item, column 2.

**Table 6 Immediate need**

| column 1<br>item | column 2<br>immediate need  | column 3<br>condition   | column 4<br>maximum<br>amount payable |
|------------------|---|---|---------------------------------------|
| 1                | cleaning scene of homicide  |   | \$5 000                               |
| 2                | measures for personal security of a victim  |   | \$4 000                               |
| 3                | relocation for personal security of a victim  |   | \$4 000                               |
| 4                | emergency medical costs and related services that would contribute to victim's recovery | only available if applicant does not have financial ability to pay for treatment or service<br><br>not available for homicide witness | \$10 000                              |

- (4) The maximum aggregate amount of all immediate need payments that may be made for a single act of violence is \$10 000.

## 7 Economic loss payment—Act, s 27 (2)

- (1) A loss mentioned in an item in table 7, column 2 is prescribed as an economic loss for which an economic loss payment may be made.
- (2) A condition mentioned in an item in table 7, column 3 is prescribed as a condition to making the economic loss payment for the economic loss mentioned in the item, column 2.
- (3) An amount mentioned in an item in table 7, column 4 is prescribed as the maximum amount of the economic loss payment for the economic loss mentioned in the item, column 2.

**Table 7 Economic loss**

| <b>column 1<br/>item</b> | <b>column 2<br/>economic loss</b>                                    | <b>column 3<br/>condition</b>  | <b>column 4<br/>maximum<br/>amount<br/>payable</b> |
|--------------------------|--|--|--|
| 1                        | expenses for counselling or other psychological support              | only available if the person applying for financial assistance was not able to access appropriate counselling or other psychological support under the victims services scheme |  |
| 2                        | expenses, other than legal costs, incurred in making the application |  |  |
| 3                        | medical and dental expenses  | not available for a homicide witness   |  |
| 4                        | travel expenses  | not available for a homicide witness   |  |
| 5                        | justice related expenses   | not available for a homicide witness   | \$5 000  |

| column 1<br>item | column 2<br>economic loss  | column 3<br>condition  | column 4<br>maximum<br>amount<br>payable |
|------------------|--|--|--|
| 6                | loss of actual earnings (including loss of earnings incurred by the parent or carer of a primary victim as a result of an act of violence) | not available for a homicide witness   | \$30 000                                 |
| 7                | reasonable expenses incurred by the parent or carer of a primary victim as a result of an act of violence                                  | an amount given to a parent or carer for the expenses mentioned in column 2 is counted as part of the maximum amount prescribed for the primary victim under s 5<br>not available for a homicide witness |  |
| 8                | other expenses in exceptional circumstances  | not available for a homicide witness   |  |
| 9                | loss of or damage to personal items  | only available for a primary victim  | \$1 500                                  |

*Note* For the economic loss mentioned in table 7, col 2, item 2, lawyers legal costs are limited—see the [Act](#), s 96.

## **8 Recognition payment for primary victim—Act, s 28 (2)**

- (1) An offence mentioned in an item in table 8, column 2 is prescribed as an offence in the course of which the act of violence must occur for a recognition payment.
- (2) An amount mentioned in an item in table 8, column 3 is prescribed as the amount payable as a recognition payment generally for the offence mentioned in the item, column 2.

- (3) An amount mentioned in an item in table 8, column 4 is prescribed as the amount payable as a recognition payment for the offence mentioned in the item, column 2 if the offence involves 1 circumstance of aggravation.
- (4) An amount mentioned in an item in table 8, column 5 is prescribed as the amount payable as a recognition payment for the offence mentioned in the item, column 2 if the offence involves 2 or more circumstances of aggravation.
- (5) An amount mentioned in an item in table 8, column 6 is prescribed as the amount payable as a recognition payment for the offence mentioned in the item, column 2 if the offence results in a very serious injury that is likely to be permanent in the primary victim.

*Note* For the maximum total financial assistance, see the [Act](#), s 24.

- (6) If the [Crimes Act 1900](#), section 66 (1) (b), applies to an offence mentioned in table 8, column 2, item 3, the offence is taken to be an offence mentioned in table 8, column 2, item 6.

**Table 8 Recognition payment for primary victim**

| column 1<br>item | column 2<br>offence in<br>course of<br>which act of<br>violence must<br>occur | column 3<br>recognition<br>payment—<br>general | column 4<br>recognition<br>payment—<br>1 circumstance<br>of aggravation | column 5<br>recognition<br>payment—<br>2 or more<br>circumstances<br>of aggravation | column 6<br>recognition<br>payment—<br>very serious<br>injury that is<br>likely to be<br>permanent |
|------------------|---|--|---|---|--|
| 1                | sexual offence punishable by imprisonment for 14 years or more                | \$19 235                                       | \$24 045  | \$28 853  | \$33 664   |
| 2                | attempt or conspiracy to commit homicide                                      | \$19 235                                       | \$24 045  | \$28 853  | \$33 664   |

| <b>column 1<br/>item</b> | <b>column 2<br/>offence in<br/>course of<br/>which act of<br/>violence must<br/>occur</b>        | <b>column 3<br/>recognition<br/>payment—<br/>general</b> | <b>column 4<br/>recognition<br/>payment—<br/>1 circumstance<br/>of aggravation</b> | <b>column 5<br/>recognition<br/>payment—<br/>2 or more<br/>circumstances<br/>of aggravation</b> | <b>column 6<br/>recognition<br/>payment—<br/>very serious<br/>injury that is<br/>likely to be<br/>permanent</b> |
|--------------------------|--|--|--|---|---|
| 3                        | sexual offence punishable by imprisonment for 10 years or more, but less than 14 years           | \$10 259   | \$12 822   | \$15 389  | \$17 952  |
| 4                        | offence against the person resulting in grievous bodily harm                                     | \$10 259   | \$12 822   | \$15 389  | \$17 952  |
| 5                        | attempt or conspiracy to commit a sexual offence punishable by imprisonment for 14 years or more | \$10 259   | \$12 822   | \$15 389  | \$17 952  |
| 6                        | sexual offence punishable by imprisonment for less than 10 years                                 | \$2 562  | \$3 204  | \$3 847   | \$4 488   |
| 7                        | offence against the person resulting in actual bodily harm                                       | \$2 562  | \$3 204  | \$3 847   | \$4 488   |

Section 8

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| <b>column 1<br/>item</b> | <b>column 2<br/>offence in<br/>course of<br/>which act of<br/>violence must<br/>occur</b>                                | <b>column 3<br/>recognition<br/>payment—<br/>general</b> | <b>column 4<br/>recognition<br/>payment—<br/>1 circumstance<br/>of aggravation</b> | <b>column 5<br/>recognition<br/>payment—<br/>2 or more<br/>circumstances<br/>of aggravation</b> | <b>column 6<br/>recognition<br/>payment—<br/>very serious<br/>injury that is<br/>likely to be<br/>permanent</b> |
|--------------------------|--|--|--|---|---|
| 8                        | robbery in company or with an offensive weapon   | \$2 562  | \$3 204  | \$3 847   | \$4 488   |
| 9                        | attempt or conspiracy to commit a sexual offence punishable by imprisonment for 10 years or more, but less than 14 years | \$2 562  | \$3 204  | \$3 847   | \$4 488   |
| 10                       | attempt, threat or conspiracy to commit an offence against the person resulting in grievous bodily harm                  | \$2 562  | \$3 204  | \$3 847   | \$4 488   |
| 11                       | offence involving deprivation of liberty (including kidnapping, forcible confinement)                                    | \$2 562  | \$3 204  | \$3 847   | \$4 488   |

| column 1<br>item | column 2<br>offence in<br>course of<br>which act of<br>violence must<br>occur   | column 3<br>recognition<br>payment—<br>general | column 4<br>recognition<br>payment—<br>1 circumstance<br>of aggravation | column 5<br>recognition<br>payment—<br>2 or more<br>circumstances<br>of aggravation | column 6<br>recognition<br>payment—<br>very serious<br>injury that is<br>likely to be<br>permanent |
|------------------|---|--|---|---|--|
| 12               | offence<br>against the<br>person not<br>resulting in<br>actual bodily<br>harm   | \$1 280  | \$1 592   | \$1 924   | \$2 242  |
| 13               | attempt or<br>conspiracy to<br>commit a<br>sexual offence<br>punishable by<br>imprisonment<br>for less than<br>10 years       | \$1 280  | \$1 592   | \$1 924   | \$2 242  |
| 14               | attempt, threat<br>or conspiracy<br>to commit an<br>offence<br>against the<br>person<br>resulting in<br>actual bodily<br>harm | \$1 280  | \$1 592   | \$1 924   | \$2 242  |

**9 Recognition payment for class A related victim—  
Act, s 29 (2)**

The amount prescribed is \$25 648.

**10 Recognition payment for class B related victim—  
Act, s 30 (2)**

The amount prescribed is \$12 822.

**11 Funeral expenses—Act, s 53 (b)**

The amount prescribed is \$8 000.

**12 Limitation on lawyers legal costs—Act, s 96 (1)**

- (1) The amount prescribed for legal services that relate to an application for financial assistance is \$1 364.
- (2) The amount prescribed for legal services that relate to an appeal or review process for financial assistance is \$2 727.

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## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- lawyer
- may (see s 146)
- must (see s 146).

*Note 3* Terms used in this regulation have the same meaning that they have in the [Victims of Crime \(Financial Assistance\) Act 2016](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Victims of Crime \(Financial Assistance\) Act 2016](#), dict:

- act of violence (see s 7)
- class A related victim (see s 13)
- class B related victim (see s 14)
- class C related victim (see s 15)
- economic loss payment
- financial assistance
- homicide witness (see s 16)
- immediate need payment
- primary victim (see s 11)
- recognition payment
- related victim (see s 12).

**victim** includes a homicide witness, primary victim and related victim.

## Endnotes

1 About the endnotes

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## 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 not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

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.

### 2 Abbreviation key

|   |   |
|---|---|
| A = Act   | NI = Notifiable instrument  |
| AF = Approved form                                  | o = order   |
| am = amended  | om = omitted/repealed   |
| amdt = amendment                                    | ord = ordinance   |
| AR = Assembly resolution                            | orig = original   |
| ch = chapter  | par = paragraph/subparagraph                                      |
| CN = Commencement notice                            | pres = present  |
| def = definition                                    | prev = previous   |
| DI = Disallowable instrument                        | (prev...) = previously  |
| dict = dictionary                                   | pt = part   |
| disallowed = disallowed by the Legislative Assembly | r = rule/subrule  |
| div = division                                      | reloc = relocated   |
| exp = expires/expired                               | renum = renumbered  |
| Gaz = gazette                                       | R[X] = Republication No   |
| hdg = heading                                       | RI = reissue  |
| IA = Interpretation Act 1967                        | s = section/subsection  |
| ins = inserted/added                                | sch = schedule  |
| LA = Legislation Act 2001                           | sdiv = subdivision  |
| LR = legislation register                           | SL = Subordinate law  |
| LRA = Legislation (Republication) Act 1996          | sub = substituted   |
| mod = modified/modification                         | <u>underlining</u> = whole or part not commenced or to be expired |

### 3 Legislation history

#### **Victims of Crime (Financial Assistance) Regulation 2016 SL2016-10**

notified LR 12 May 2016

s 1, s 2 commenced 12 May 2016 (LA s 75 (1))

remainder commenced 1 July 2016 (s 2 and see [Victims of Crime \(Financial Assistance\) Act 2016](#) A2016-12, s 2 (1) (a))

as amended by

#### **[Victims of Crime \(Financial Assistance\) Amendment Regulation 2016 \(No 1\) SL2016-25](#)**

notified LR 31 August 2016

s 1, s 2 taken to have commenced 1 July 2016 (LA s 75 (2))

s 4 taken to have commenced 1 July 2016 (s 2 (1))

s 5 commenced 1 September 2016 (s 2 (2))

#### **[Victims of Crime \(Financial Assistance\) Amendment Regulation 2018 \(No 1\) SL2018-20](#)**

notified LR 30 October 2018

s 1, s 2 commenced 30 October 2018 (LA s 75 (1))

remainder commenced 31 October 2018 (s 2)

#### **[Victims of Crime \(Financial Assistance\) Amendment Regulation 2019 \(No 1\) SL2019-12](#)**

notified LR 27 June 2019

s 1, s 2 commenced 27 June 2019 (LA s 75 (1))

remainder commenced 1 July 2019 (s 2)

#### **[Victims of Crime \(Financial Assistance\) Amendment Regulation 2020 \(No 1\) SL2020-23](#)**

notified LR 29 June 2020

s 1, s 2 commenced 29 June 2020 (LA s 75 (1))

remainder commenced 1 July 2020 (s 2)

#### **[Victims of Crime \(Financial Assistance\) Amendment Regulation 2021 \(No 1\) SL2021-11](#)**

notified LR 30 June 2021

s 1, s 2 commenced 30 June 2021 (LA s 75 (1))

remainder commenced 1 July 2021 (s 2)

## Endnotes

3 Legislation history

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**Victims of Crime (Financial Assistance) Amendment Regulation 2022  
(No 1) SL2022-11**

notified LR 30 June 2022  
s 1, s 2 commenced 30 June 2022 (LA s 75 (1))  
remainder commenced 1 July 2022 (s 2)

**Victims of Crime (Financial Assistance) Amendment Regulation 2023  
(No 1) SL2023-13**

notified LR 29 June 2023  
s 1, s 2 commenced 29 June 2023 (LA s 75 (1))  
remainder commenced 1 July 2023 (s 2)

**Victims of Crime (Financial Assistance) Amendment Regulation 2024  
(No 1) SL2024-7**

notified LR 27 June 2024  
s 1, s 2 commenced 27 June 2024 (LA s 75 (1))  
remainder commenced 1 July 2024 (s 2)

## 4 Amendment history

### Commencement

s 2 om LA s 89 (4)

### Maximum total financial assistance—Act, s 24

s 5 sub [SL2018-20](#) s 4; [SL2019-12](#) s 4; [SL2020-23](#) s 4;  
[SL2021-11](#) s 4; [SL2022-11](#) s 4; [SL2023-13](#) s 4  
am [SL2024-7](#) s 4, s 5

### Immediate need payment—Act, s 26 (3)

s 6 table 6 am [SL2016-25](#) s 4

### Economic loss payment—Act, s 27 (2) s 4

s 7 table 7 am [SL2016-25](#) s 5

### Recognition payment for primary victim—Act, s 28 (2)

s 8 am [SL2020-23](#) s 5  
s 8 table sub [SL2018-20](#) s 5; [SL2019-12](#) s 5; [SL2020-23](#) s 6;  
[SL2021-11](#) s 5; [SL2022-11](#) s 5; [SL2023-13](#) s 5; [SL2024-7](#) s 6

### Recognition payment for class A related victim—Act, s 29 (2)

s 9 am [SL2018-20](#) s 6; [SL2019-12](#) s 6; [SL2020-23](#) s 7; [SL2021-11](#)  
s 6; [SL2022-11](#) s 6; [SL2023-13](#) s 6; [SL2024-7](#) s 7

### Recognition payment for class B related victim—Act, s 30 (2)

s 10 am [SL2018-20](#) s 7; [SL2019-12](#) s 7; [SL2020-23](#) s 8; [SL2021-11](#)  
s 7; [SL2022-11](#) s 7; [SL2023-13](#) s 7; [SL2024-7](#) s 8

### Limitation on lawyers legal costs—Act, s 96 (1)

s 12 sub [SL2022-11](#) s 8; [SL2023-13](#) s 8  
am [SL2024-7](#) s 9, s 10

## Endnotes

### 5 Earlier republications

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#### 5 Earlier republications

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

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

| <b>Republication No and date</b> | <b>Effective</b>             | <b>Last amendment made by</b> | <b>Republication for</b>   |
|----------------------------------|------------------------------|-------------------------------|--|
| R1<br>1 July 2016                | 1 July 2016–<br>31 Aug 2016  | not amended                   | new regulation   |
| R1 (RI)<br>31 Aug 2016           | 1 July 2016–<br>31 Aug 2016  | <a href="#">SL2016-25</a>     | reissued for retrospective amendments by <a href="#">SL2016-25</a> |
| R2<br>1 Sept 2016                | 1 Sept 2016–<br>30 Oct 2018  | <a href="#">SL2016-25</a>     | amendments by <a href="#">SL2016-25</a>                            |
| R3<br>31 Oct 2018                | 31 Oct 2018–<br>30 June 2019 | <a href="#">SL2018-20</a>     | amendments by <a href="#">SL2018-20</a>                            |
| R4<br>1 July 2019                | 1 July 2019–<br>30 June 2020 | <a href="#">SL2019-12</a>     | amendments by <a href="#">SL2019-12</a>                            |
| R5<br>1 July 2020                | 1 July 2020–<br>30 June 2021 | <a href="#">SL2020-23</a>     | amendments by <a href="#">SL2020-23</a>                            |
| R6<br>1 July 2021                | 1 July 2021–<br>30 June 2022 | <a href="#">SL2021-11</a>     | amendments by <a href="#">SL2021-11</a>                            |
| R7<br>1 July 2022                | 1 July 2022–<br>30 June 2023 | <a href="#">SL2022-11</a>     | amendments by <a href="#">SL2022-11</a>                            |
| R8<br>1 July 2023                | 1 July 2023–<br>30 June 2024 | <a href="#">SL2023-13</a>     | amendments by <a href="#">SL2023-13</a>                            |

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