

**Legislative Council—No 97A**

As reported with amendments, report adopted, Standing Orders suspended and passed remaining stages, 5 June 2013

South Australia

**Victims of Crime (Miscellaneous) Amendment  
Bill 2012**

A BILL FOR

An Act to amend the *Victims of Crime Act 2001*.

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

### Part 2—Amendment of *Victims of Crime Act 2001*

- 4 Amendment of long title
- 5 Amendment of section 3—Objects
- 6 Amendment of section 4—Interpretation
- 7 Amendment of section 20—Orders for compensation
- 8 Amendment of section 27—Payment of compensation etc by Attorney-General
- 9 Insertion of section 37
  - 37 Special report

### Schedule 1—Transitional provision

- 1 Transitional provision
- 

## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Victims of Crime (Miscellaneous) Amendment Act 2012*.

#### 2—Commencement

- 5 This Act will come into operation 6 months after the day on which it is assented to by the Governor.

#### 3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

### 10 Part 2—Amendment of *Victims of Crime Act 2001*

#### 4—Amendment of long title

Long title—delete "limited"

#### 5—Amendment of section 3—Objects

Section 3(d)—delete "limited"

### 15 6—Amendment of section 4—Interpretation

- (1) Section 4—after the definition of "*court*" insert:

*CPI* means the Consumer Price Index (All groups index for Adelaide);

- (2) Section 4—after its present contents (as amended and now to be designated as subsection (1)) insert:

(2) In this Act, if a monetary sum is followed by the word "(indexed)", the amount is to be adjusted on 1 January of each year by multiplying the stated amount by a proportion obtained by dividing the CPI for the September quarter of the immediately preceding year by the CPI for the September quarter, 2012 (with the amount so adjusted being rounded up in accordance with the regulations).

### 7—Amendment of section 20—Orders for compensation

- (1) Section 20(1)(c)—delete "(not exceeding \$10 000)"
- (2) Section 20(3)(a)(ii)—delete "0 to 50" and substitute:  
0 to 100
- (3) Section 20(3)—delete "\$50 000" wherever occurring and substitute in each case:  
\$100 000 (indexed)

### ~~8—Amendment of section 27—Payment of compensation etc by Attorney-General~~

~~Section 27—after subsection (4) insert:~~

- ~~(4a) The Attorney-General must, as soon as practicable after a person is charged with a major indictable offence, make a payment of an amount determined by the Attorney-General (but not exceeding \$6 000) to an alleged victim of that offence to facilitate a change, either of a temporary or permanent nature, of the alleged victim's place of residence.~~

### 9—Insertion of section 37

After section 36 insert:

#### 37—Special report

- (1) The administrative unit of the Public Service responsible, under the Attorney-General, for the administration of this Act must, on or before 1 September 2013, present a report to the Attorney-General on—
- (a) the operation and effectiveness of this Act in facilitating access to compensation by victims; and
- (b) a comparison of matters referred to in paragraph (a) with equivalent systems or models used in other jurisdictions for the purpose of facilitating access to compensation by victims; and
- (c) appropriate ways to make payments from the Fund to provide assistance to victims of crime or to prevent people becoming victims of crime, other than as already provided for under this Act.

- (2) The Attorney-General must, within 12 sittings days after receipt of a report under this section, cause copies of the report to be laid before each House of Parliament.

## **Schedule 1—Transitional provision**

### **5 1—Transitional provision**

Section 20 of the *Victims of Crime Act 2001* as in force after the commencement of this Act applies in relation to an application for compensation determined after the commencement of this Act.