

South Australia

## **Victims of Crime (Fund and Levy) Regulations 2003**

under the *Victims of Crime Act 2001*

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#### **1—Short title**

These regulations may be cited as the *Victims of Crime (Fund and Levy) Regulations 2003*.

#### **3—Interpretation**

In these regulations—

*Act* means the *Victims of Crime Act 2001*

#### **4—Prescribed proportion to be paid into Fund (section 30 of Act)**

For the purposes of section 30(3) of the Act, the prescribed proportion of the aggregate amount paid into General Revenue by way of fines that is to be paid into the Victims of Crime Fund is 20 per cent.

#### **5—Imposition of levy (section 32 of Act)**

- (1) For the purposes of section 32(2) of the Act, a levy is not imposed on a person who expiates an offence under an expiation notice if—
  - (a) the notice is issued by a council (within the meaning of the *Local Government Act 1999*) or other authority with powers and functions of local government; or
  - (b) the notice is issued by a university or other tertiary educational institution established by an Act; or
  - (c) the notice is issued by an incorporated hospital or incorporated health centre (within the meaning of the *South Australian Health Commission Act 1976*); or
  - (d) the notice is issued by the Institute of Medical and Veterinary Science; or
  - (e) the notice is issued by the Board of the Botanic Gardens and State Herbarium; or

- (f) the offence is under the *Technical and Further Education (Vehicles) Regulations 1998*.
- (2) For the purposes of section 32(4) of the Act, the amount of the levy is fixed by Schedule 1.

## Schedule 1—Victims of crime levy

- 1 Subject to clauses 2 and 3—
- (a) the amount of the levy in respect of a summary offence is—
- |                                |      |
|--------------------------------|------|
| (i) if the offence is expiated | \$20 |
| (ii) in any other case         | \$70 |
- (b) the amount of the levy in respect of an indictable offence is \$120
- 2 If a summary or an indictable offence appears in the following list, the levy in respect of that offence is twice the levy that would otherwise be payable under clause 1:
- (a) an offence under the *Aircraft Offences Act 1971*
- (b) an offence against section 11, 12, 12A, 13, 14, 19, 19AA, 19A, 19AB, 19AC, 20, 23, 24, 29, 30, 31, 32, 32A, 32C, 33A, 33B, 39, 40, 48, 49, 56, 58, 59, 60, 63, 63A, 63B, 66, 67, 68, 74, 80, 81, 82, 85(1), 85A, 85B, 137, 167, 168, 169, 170, 170A, 174, 270A, 270AB or 270B of the *Criminal Law Consolidation Act 1935*
- (c) an offence against section 6 of the *Summary Offences Act 1953*
- 3 If but for this clause—
- |   |      |
|---|------|
| (a) the amount of the levy payable by a youth under clause 1 would exceed \$40, the amount of the levy is | \$40 |
| (b) the amount of the levy payable by a youth under clause 2 would exceed \$80, the amount of the levy is | \$80 |

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2003	222	<i>Gazette 30.10.2003 p3965</i>	30.10.2003: r 2
<b>2007</b>	<b>190</b>	<b><i>Gazette 28.6.2007 p2903</i></b>	<b>1.7.2007: r 2</b>
2008	198	<i>Gazette 26.6.2008 p2732</i>	1.7.2008: r 2

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.7.2007</i>
Sch 1	substituted by 190/2007 r 4	1.7.2007