

Victims of Crime Assistance (Amendment) Bill

EXPLANATORY MEMORANDUM

- Clause 1 states that the purpose of the Act is to make miscellaneous amendments to the **Victims of Crime Assistance Act 1996**.
- Clause 2 states that the Act comes into operation on the day on which it receives Royal Assent.
- Clause 3 calls the **Victims of Crime Assistance Act 1996**, "the Principal Act".
- Clauses 4 and 5 amend the **Victims of Crime Assistance Act 1996** so that the Victims of Crime Assistance Tribunal must withdraw an application made to it on the request of the applicant prior to the hearing or determination of the application and enables the Chief Magistrate to delegate this function to the principal registrar, registrars and deputy registrars of the Tribunal.
- Clause 6 amends the **Victims of Crime Assistance Act 1996** to clarify a procedure of the Victims of Crime Assistance Tribunal. If the Tribunal decides an application to it was not lodged within the time limits set out at section 29 of the **Victims of Crime Assistance Act 1996** and does not accept the application out of time, the Tribunal must strike out the application. This will replace the previous procedure under the Act which required the Tribunal to refuse to accept an application in the circumstances set out above.
- Clause 7 amends the **Victims of Crime Assistance Act 1996** to give the Victims of Crime Assistance Tribunal the power issue a warrant for the arrest of a witness who does not answer a summons to attend the Tribunal.
- Clause 8 amends the **Victims of Crime Assistance Act 1996** to allow the Victims of Crimes Assistance Tribunal to order prompt payment for psychiatric treatment and payment for a medical practitioner's report that recommends such psychiatric treatment.
- Clause 9 provides the same protections to the principal registrar, registrars and deputy registrars of the Victims of Crimes Assistance Tribunal from civil action arising from the performance of their duties as are provided to members of the Tribunal.

Clause 10 inserts a new section 71(2) in the **Victims of Crime Assistance Act 1996** stating that it is intended, by the amendment made by clause 9, to alter or vary section 85 of the **Constitution Act 1975**.