

**CRIMES (COMPENSATION) AMENDMENT ACT,
1979, No. 101**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 101, 1979.

An Act to amend the Crimes Act, 1900, with respect to compensation payable to persons who suffer injury or loss as a result of the commission of an offence; and for other purposes. [Assented to, 17th May, 1979.]

See also Criminal Injuries Compensation (Amendment) Act, 1979.

Crimes (Compensation) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Crimes (Compensation) Amendment Act, 1979".

Commence- **2.** (1) This section and section 1 shall commence on the date
ment. of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment **3.** The Crimes Act, 1900, is amended in the manner set forth
of Act No. in Schedule 1.
40, 1900.

Directions **4.** The amendments made by section 3 and Schedule 1 shall
to which apply to and in respect of any direction for payment of compensa-
Schedule 1 tion given under section 437 (1) or 554 (3) of the Crimes Act,
applies. 1900, on or after the day appointed and notified under section 2
 (2).

Crimes (Compensation) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE CRIMES ACT, 1900.

(1) (a) Section 437 (1)—

Omit "\$4,000", insert instead "\$10,000, or sums not exceeding, in the aggregate, \$10,000,".

(b) Section 437 (1)—

After "aggrieved person", insert "or to any aggrieved persons in such proportions as may be specified in the direction".

(c) Section 437 (2)—

After "sum" wherever occurring, insert "or sums".

(d) Section 437 (2A)—

After section 437 (2), insert :—

(2A) Where a Court or Judge gives a direction under subsection (1) in respect of the conviction of a person for a felony or misdemeanour that was one of 2 or more offences, being felonies or misdemeanours (whether committed by the same person or by different persons) that were committed—

(a) at approximately the same time; or

(b) by 2 or more persons acting together,

or are related to each other for any other reason, the sum, or sums in the aggregate, specified in the direction, shall not, where the offences were committed against the same person, exceed the difference between \$10,000 and any sum, or sums in the aggregate, previously specified in a direction given under subsection (1) in respect of any of those offences.

Crimes (Compensation) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE CRIMES ACT, 1900—*continued.*

- (e) Section 437 (4), definition of “Aggrieved person”—
Before the definition of “Injury”, insert :—

“Aggrieved person”, where the felony or misdemeanour of which a person is convicted is in respect of the death of another person, means, except in subsection (3), the spouse (if any), or the person (if any) who was living with the dead person as the spouse, and any parent or child (as defined in section 7 (1) of the Compensation to Relatives Act of 1897), of the dead person.

- (2) (a) Section 554 (3)—

Omit “\$600”, insert instead “\$1,000, or sums not exceeding, in the aggregate, \$1,000,”.

- (b) Section 554 (3)—

After “aggrieved”, insert “or to the aggrieved persons in such proportions as may be specified in the direction”.

- (c) Section 554 (4A)—

After section 554 (4), insert :—

(4A) Where a Court gives a direction under subsection (3) in respect of the conviction of a person for an offence that was one of 2 or more offences (whether committed by the same person or by different persons) that were committed—

- (a) at approximately the same time; or

Crimes (Compensation) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE CRIMES ACT, 1900—*continued.*

(b) by 2 or more persons acting together,
or are related to each other for any other reason, the
sum, or sums in the aggregate, specified in the
direction, shall not, where the offences were committed
against the same person, exceed the difference
between \$1,000 and any sum, or sums in the aggre-
gate, previously specified in a direction given under
subsection (3) in respect of any of those offences.
