



New South Wales

Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Act 2004 No 3

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Crimes (Sentencing Procedure) Act 1999 No 92	2
Schedule 1 Amendments	3



New South Wales

Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Act 2004 No 3

Act No 3, 2004

An Act to amend the *Crimes (Sentencing Procedure) Act 1999* to expand the category of offences in respect of which a Local Court may receive and consider victim impact statements; and for other purposes. [Assented to 17 March 2004]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Act 2004*.

2 Commencement

This Act commences on a day to be appointed by proclamation.

3 Amendment of Crimes (Sentencing Procedure) Act 1999 No 92

The *Crimes (Sentencing Procedure) Act 1999* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 27 Application of Division

Insert at the end of section 27 (3) (b):

, or

- (c) an offence that is referred to in Table 1 of Schedule 1 to the *Criminal Procedure Act 1986* and that:
 - (i) results in actual physical bodily harm to any person, or
 - (ii) involves an act of actual or threatened violence or an act of sexual assault.

[2] Section 28 When victim impact statements may be received and considered

Omit “the Supreme Court, Industrial Relations Commission or District Court” wherever occurring.

Insert instead “a court”.

[3] Section 28 (5)

Omit “The Supreme Court, Industrial Relations Commission or District Court”.

Insert instead “A court”.

[4] Section 28 (6)

Omit the subsection.

[5] Schedule 2 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Act 2004

[6] Schedule 2

Insert at the end of Schedule 2, with appropriate Part and clause numbers:

**Part Provisions consequent on enactment of
Crimes (Sentencing Procedure)
Amendment (Victim Impact Statements)
Act 2004**

Victim impact statements

The amendments made to sections 27 and 28 of this Act by the *Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Act 2004* extend to offences committed before the commencement of those amendments, whether or not proceedings were commenced before that commencement.

[Second reading speech made in—
Legislative Assembly on 5 December 2003
Legislative Council on 9 March 2004]

BY AUTHORITY