

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

[2004-3]



New South Wales

Status Information

Currency of version

Repealed version for 17 March 2004 to 30 June 2005 (accessed 13 September 2024 at 8:22)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by Sch 3 to the [Statute Law \(Miscellaneous Provisions\) Act 2005 No 64](#) with effect from 1.7.2005.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 July 2005

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New South Wales

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.

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.