Western Australia

Criminal Injuries Compensation Act 2003

Criminal Injuries Compensation Regulations 2003

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Western Australia

Criminal Injuries Compensation Act 2003

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## Part 1 — Preliminary

##### 1. Citation

These regulations may be cited as the *Criminal Injuries Compensation Regulations 2003*.

##### 2. Commencement

These regulations come into operation on the day on which the *Criminal Injuries Compensation Act 2003* comes into operation.

##### 3. Interpretation

In these regulations, unless the contrary intention appears —

Act means the *Criminal Injuries Compensation Act 2003*;

section means a section of the Act.

## Part 2 — Procedural matters

##### 4. Substituted service

(1) If an assessor is satisfied that it is impracticable or impossible, under the *Interpretation Act 1984* section 76, to give a person notice under section 19, 25 or 63(2) or to serve a person with notice under section 51, the assessor may direct that the notice be published once in a newspaper that circulates throughout the State.

(2) If under subregulation (1) a notice is published, it is to be taken as having been given or served on the day when it is so published.

##### 4A. Compensation application may be made and given electronically

For the purposes of section 11(1), a compensation application may be made and given to the Chief Assessor by means of the electronic case management system for the management of proceedings in Western Australian courts and tribunals.

[Regulation 4A inserted: SL 2023/19 r. 4.]

## Part 3 — Appeals

##### 5. Costs of appeals

(1) In relation to an appeal under Part 7 of the Act, the scale of costs for the purposes of section 56(2)(d) is as set out in this regulation.

(2) If the successful party is represented by a legal practitioner, the party is entitled to the following costs —

(a) for the preparation of the appeal — a maximum of $180;

(b) if a substantive or interlocutory hearing is held in the District Court — a maximum of $180 for each day of the hearing.

(3) Whether or not the successful party is represented by a legal practitioner, the party is entitled to any expenses that he or she has reasonably and properly incurred for the purposes of the appeal.

[Regulation 5 amended: Gazette 31 Jul 2007 p. 3794.]



Notes

This is a compilation of the *Criminal Injuries Compensation Regulations 2003* and includes amendments made by other written laws. For provisions that have come into operation see the compilation table.

Compilation table

| **Citation** | **Published** | **Commencement** |
| --- | --- | --- |
| *Criminal Injuries Compensation Regulations 2003* | 30 Dec 2003 p. 5727-8 | 1 Jan 2004 (see r. 2 and *Gazette* 30 Dec 2003 p. 5722) |
| *Criminal Injuries Compensation Amendment Regulations 2007* | 31 Jul 2007 p. 3793‑4 | r. 1 and 2: 31 Jul 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Aug 2007 (see r. 2(b)) |
| *Attorney General Regulations Amendment (Electronic Processes) Regulations 2023* Pt. 2 | SL 2023/19 14 Mar 2023 | 15 Mar 2023 (see r. 2(b)) |

Defined terms

*[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]*

**Defined term Provision(s)**

Act 3

section 3