



Western Australia

Criminal Injuries Compensation Act 2003

# **Criminal Injuries Compensation Regulations 2003**

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# **Criminal Injuries Compensation Regulations 2003**

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Western Australia

Criminal Injuries Compensation Act 2003

## **Criminal Injuries Compensation Regulations 2003**

### **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.]*

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## 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

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Criminal Injuries Compensation Regulations 2003</i>	30 Dec 2003 p. 5727-8	1 Jan 2004 (see r. 2 and <i>Gazette</i> 30 Dec 2003 p. 5722)
<i>Criminal Injuries Compensation Amendment Regulations 2007</i>	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))
<i>Attorney General Regulations Amendment (Electronic Processes) Regulations 2023 Pt. 2</i>	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.]*

<b>Defined term</b>	<b>Provision(s)</b>
Act.....	3
section.....	3