

JU302\*

Criminal Injuries Compensation Act 2003

## **Criminal Injuries Compensation Regulations 2003**

Made by the Governor in Executive Council.

### **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.

## 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 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.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.