



Queensland

Criminal Offence Victims Act 1995

Criminal Offence Victims Regulation 1995

Reprinted as in force on 19 July 2006

Reprint No. 1B

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See 2009 Act No. 35 s 149

Information about this reprint

This regulation is reprinted as at 19 July 2006. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



Queensland

Criminal Offence Victims Regulation 1995

Contents

		Page
1	Short title	3
1A	Prescribed injury	3
2	Scheme maximum	4
2A	Prescribed amount to which court is limited in making an order for prescribed injury	4
3	Prescribed amount for payment to dependant of person who is unlawfully killed	4
4	Prescribed amount for payment of funeral expenses to dependant or member of family of person who is unlawfully killed	4
5	Prescribed amount for payment of damage expenses to dependant or member of family of person who is unlawfully killed	5

Endnotes

1	Index to endnotes	6
2	Date to which amendments incorporated	6
3	Key	6
4	Table of reprints	7
5	List of legislation	7
6	List of annotations	7
7	Information about retrospectivity	8

Criminal Offence Victims Regulation 1995

[as amended by all amendments that commenced on or before 19 July 2006]

1 Short title

This regulation may be cited as the *Criminal Offence Victims Regulation 1995*.

1A Prescribed injury

- (1) For section 20 of the Act, the totality of the adverse impacts of a sexual offence suffered by a person, to the extent to which the impacts are not otherwise an injury under section 20, is prescribed as an injury.
- (2) An ***adverse impact*** of a sexual offence includes the following—
 - (a) a sense of violation;
 - (b) reduced self worth or perception;
 - (c) post-traumatic stress disorder;
 - (d) disease;
 - (e) lost or reduced physical immunity;
 - (f) lost or reduced physical capacity (including the capacity to have children), whether temporary or permanent;
 - (g) increased fear or increased feelings of insecurity;
 - (h) adverse effect of the reaction of others;
 - (i) adverse impact on lawful sexual relations;
 - (j) adverse impact on feelings;
 - (k) anything the court considers is an adverse impact of a sexual offence.
- (3) In this section—

sexual offence means a personal offence of a sexual nature.

2 Scheme maximum

The prescribed amount for section 25(2) of the Act, the scheme maximum, is \$75000.

2A Prescribed amount to which court is limited in making an order for prescribed injury

The prescribed amount for section 25(5) of the Act for an injury mentioned in section 1A is an amount equal to an amount not less than 1% but not more than 100% of the scheme maximum.¹

3 Prescribed amount for payment to dependant of person who is unlawfully killed

The prescribed amount for section 35(2)(a) of the Act is \$30000.

4 Prescribed amount for payment of funeral expenses to dependant or member of family of person who is unlawfully killed

- (1) The prescribed amount for section 35(2)(b) and (3)(a) of the Act is \$6000.
- (2) Also, the prescribed amount for section 35(2)(b) and (3)(a) of the Act is \$6000 if—
 - (a) an application made under section 35(2)(b) or (3)(a) of the Act before 19 July 2006 was not decided before that date; and
 - (b) no other application for the same death was made under section 35(2) or (3) of the Act and decided before 19 July 2006.
- (3) To remove any doubt, it is declared that if an application in relation to a particular death was made under section 35(2) or (3) of the Act and decided before 19 July 2006, the prescribed amount in relation to the death is \$4000, even if another

¹ Under the Act, section 22(4), the maximum amount of compensation provided under the Act, part 3 is reserved for the most serious cases and the amounts provided in other cases are intended to be scaled according to their seriousness.

application for the same death is made under section 35(2) or (3) of the Act before or after 19 July 2006.

5 Prescribed amount for payment of damage expenses to dependant or member of family of person who is unlawfully killed

- (1) The prescribed amount for section 35(2)(c) and (3)(b) of the Act is \$3000.
- (2) Also, the prescribed amount for section 35(2)(c) and (3)(b) of the Act is \$3000 if—
 - (a) an application made under section 35(2)(c) or (3)(b) of the Act before 19 July 2006 was not decided before that date; and
 - (b) no other application for the same death was made under section 35(2) or (3) of the Act and decided before 19 July 2006.
- (3) To remove any doubt, it is declared that if an application in relation to a particular death was made under section 35(2) or (3) of the Act and decided before 19 July 2006, the prescribed amount in relation to the death is \$2000, even if another application for the same death is made under section 35(2) or (3) of the Act before or after 19 July 2006.

Endnotes

1 Index to endnotes

	Page
2 Date to which amendments incorporated	6
3 Key	6
4 Table of reprints	7
5 List of legislation	7
6 List of annotations	7
7 Information about retrospectivity	8

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 19 July 2006. Future amendments of the Criminal Offence Victims Regulation 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	15 December 1995	22 December 1995
1A	1997 SL No. 488	19 December 1997	21 January 1998

Reprint No.	Amendments included	Effective	Notes
1B	2006 SL No. 323	19 July 2006	

5 List of legislation

Criminal Offence Victims Regulation 1995 SL No. 384

made by the Governor in Council on 14 December 1995

notfd gaz 15 December 1995 pp 1560–5

commenced on date of notification

exp 31 August 2007 (see SIA s 56A(1)(b) and SIR s 5 sch 3)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Criminal Offence Victims Amendment Regulation (No. 1) 1997 SL No. 488

notfd gaz 19 December 1997 pp 1770–7

commenced on date of notification

Criminal Offence Victims Amendment Regulation (No. 1) 2006 SL No. 323

notfd gaz 22 December 2006 pp 1960–1

ss 1–2 commenced on date of notification

remaining provisions commenced 19 July 2006 (see s 2)

6 List of annotations

Prescribed injury

s 1A ins 1997 SL No. 488 s 3

Prescribed amount to which court is limited in making an order for prescribed injury

s 2A ins 1997 SL No. 488 s 4

Prescribed amount for payment to dependant of person who is unlawfully killed

s 3 amd 1997 SL No. 488 s 5

Prescribed amount for payment of funeral expenses to dependant or member of family of person who is unlawfully killed

s 4 amd 2006 SL No. 323 s 4 (retro)

Prescribed amount for payment of damage expenses to dependant or member of family of person who is unlawfully killed

s 5 amd 1997 SL No. 488 s 6; 2006 SL No. 323 s 5 (retro)

7 Information about retrospectivity

Retrospective amendments that have been consolidated are noted in the list of legislation and list of annotations. Any retrospective amendment that has not been consolidated is noted in footnotes to the text.