



# Victims Support and Rehabilitation Regulation 2012

under the

Victims Support and Rehabilitation Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Victims Support and Rehabilitation Act 1996*.

GREG SMITH, MP  
Attorney General

## Explanatory note

The object of this Regulation is to repeal and remake, with minor changes, the provisions of the *Victims Support and Rehabilitation Regulation 2006*, which would otherwise be repealed on 1 September 2012 by section 10 (2) of the *Subordinate Legislation Act 1989*. In particular, this Regulation:

- (a) specifies expenses for which a victim may not be compensated under the Victims Assistance Scheme established by the *Victims Support and Rehabilitation Act 1996* (the *Principal Act*), and
- (b) excludes persons who are convicted of certain minor offences from any requirement to pay a compensation levy under the *Principal Act*.

This Regulation is made under the *Victims Support and Rehabilitation Act 1996*, including sections 14A (4) (b), 78 (1) and 88 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

## **2012 No 38**

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## Victims Support and Rehabilitation Regulation 2012

under the

Victims Support and Rehabilitation Act 1996

### 1 Name of Regulation

This Regulation is the *Victims Support and Rehabilitation Regulation 2012*.

### 2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

**Note.** This regulation replaces the *Victims Support and Rehabilitation Regulation 2006* which would otherwise be repealed on 1 September 2012 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definition

(1) In this Regulation:

*the Act* means the *Victims Support and Rehabilitation Act 1996*.

(2) Notes included in this Regulation do not form part of this Regulation.

### 4 Exclusions from Victims Assistance

(1) For the purposes of section 14A (4) (b) of the Act, the following are expenses for which a person may not be compensated under section 14A of the Act:

- (a) counselling services,
- (b) except as provided by subclause (2), the replacement or repair of personal effects,
- (c) the cleaning of clothing or other wearable items.

(2) Despite subclause (1) (b), expenses for the replacement or repair of prescription glasses, prescription contact lenses or medical aids (such as dentures, prostheses or hearing aids) that are lost or damaged as a direct result of the act of violence, are expenses for which a person may be compensated under section 14A of the Act.

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### **5 Classes of offences to which compensation levy does not apply**

For the purposes of section 78 (1) of the Act, Part 5 of the Act does not apply to the following classes of offences:

- (a) offences relating to engaging in offensive conduct,
- (b) offences relating to the use of offensive language,
- (c) offences relating to travelling on public transport without paying the fare or without a ticket,
- (d) offences relating to the parking, standing or waiting of a vehicle.

### **6 Repeal and savings**

- (1) The *Victims Support and Rehabilitation Regulation 2006* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Victims Support and Rehabilitation Regulation 2006*, had effect under that Regulation continues to have effect under this Regulation.