

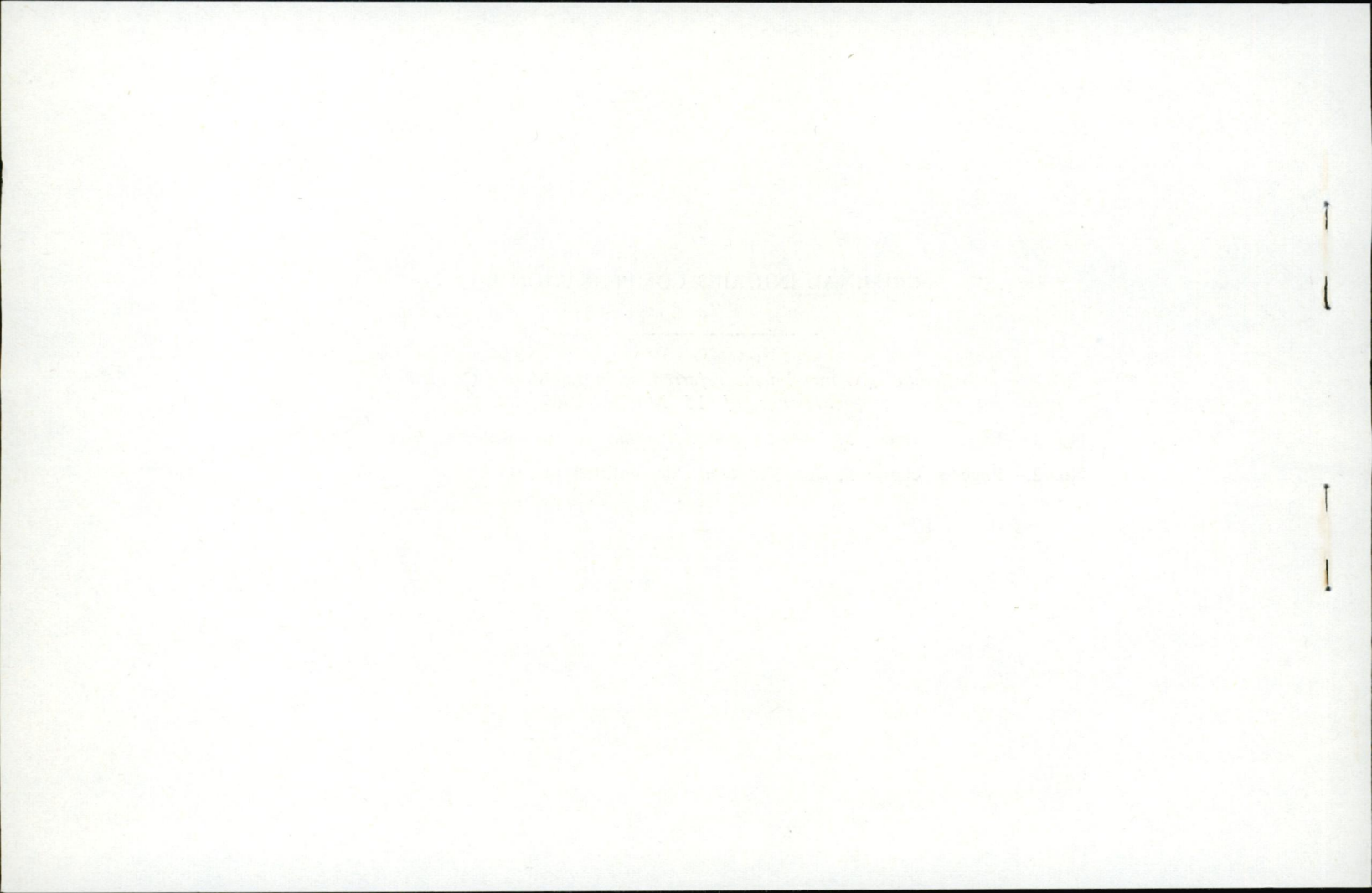
CRIMINAL INJURIES COMPENSATION BILL.

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*Schedule of Amendments referred to in Legislative Council's  
Message of 15 March, 1967.*

No. 1.—Page 3, clause 5, lines 29 and 30. *Omit* “or is entitled to receive.”.

No. 2.—Page 3, clause 5, line 32. *Omit* “be entitled to”.



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 9 March, 1967.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

J. R. STEVENSON,  
*Clerk of the Parliaments.*

*Legislative Council Chamber,  
Sydney, 15 March, 1967.*

## New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. , 1967.

An Act to make provision for the payment, in certain circumstances, of compensation to persons who suffer injury by reason of the commission of certain offences; to amend the Crimes Act 1900, as amended by subsequent Acts; and for purposes connected therewith.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Criminal Injuries Compensation Act, 1967".

Short title  
and com-  
mencement.

(2)



*Criminal Injuries Compensation.*

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty-eight.

(3) This Act, section eight excepted, does not apply in respect of compensation for injuries sustained through, or by reason of, offences committed before its commencement.

2. In this Act—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

Interpretation.

10 “Under Secretary” means the Under Secretary of the Department of the Attorney-General and of Justice, or the person for the time being acting as Under Secretary of that Department.

3. Where—

15 (a) a direction for the payment of a sum by way of compensation has been given under section four hundred and thirty-seven or subsection three of section five hundred and fifty-four of the Crimes Act 1900, as amended by subsequent Acts, in respect of any felony, misdemeanour or other offence; and

Application may be made for payment of compensation directed under section 437 or 554 (3) of Crimes Act from Consolidated Revenue Fund.

20 (b) the direction is for a sum in excess of one hundred dollars to be paid by way of compensation for injury,

25 the aggrieved person in whose favour the direction has been given may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum so directed to be paid.

30 4. (1) On the acquittal of, or dismissal of an information against, a person accused of any felony, misdemeanour or other offence, the Court or Judge before whom that person was tried may, on application by a person aggrieved by reason of the commission of the offence, grant a certificate stating the sum which they or he would have directed to be paid to the

Aggrieved person may apply for compensation where accused acquitted.

aggrieved



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*Criminal Injuries Compensation.*

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aggrieved person by way of compensation for injury had the accused person been convicted of the felony, misdemeanour or other offence and had the application been an application made by the aggrieved person under the provisions of section 5 four hundred and thirty-seven or subsection three of section five hundred and fifty-four, as the case may be, of the Crimes Act 1900, as amended by subsequent Acts, for the payment of that compensation.

(2) A certificate shall not be granted under subsection 10 one of this section where the sum referred to in that subsection amounts to one hundred dollars or less.

(3) An aggrieved person to whom a certificate under subsection one of this section has been granted may make application to the Under Secretary for payment to him from 15 the Consolidated Revenue Fund of the sum specified in the certificate.

5. (1) Subject to section six of this Act, the Under Secretary shall, as soon as practicable after receiving an application under section three, or subsection three of section 20 four, of this Act, furnish to the Treasurer a statement signed by the Under Secretary setting forth the particulars of the application and specifying—

(a) the sum directed to be paid to the applicant as referred to in section three of this Act or the sum 25 specified in the certificate granted to the applicant under subsection one of section four of this Act, as the case may be; and

(b) any amounts which, in the opinion of the Under Secretary, the applicant has received, ~~or is entitled to receive,~~ or would, if he had exhausted all relevant rights of action and other legal remedies available to him, ~~be entitled to receive,~~ independently of this Act, by reason of the injury to which the application relates. 30

(2) Where the Treasurer, after receiving the Under Secretary's statement relating to any such application, considers that in the circumstances of the case the making under 35 **this**

Payment  
of com-  
pensation by  
Treasurer to  
applicant.

*Criminal Injuries Compensation.*

this subsection of a payment to the applicant is justified, the Treasurer may pay to the applicant an amount equal to the difference between the appropriate amount referred to in paragraph (a) of subsection one of this section, and the amounts referred to in paragraph (b) of that subsection, as specified in that statement.

(3) Any payments under subsection two of this section may be made without further appropriation than this Act.

6. The Under Secretary may defer furnishing to the Treasurer any statement under subsection one of section five of this Act, for as long as he considers it necessary to do so, to enable him to specify in the statement the amounts referred to in paragraph (b) of that subsection.

Under Secretary's statement may be deferred.

7. (1) Where any payment is made pursuant to section five of this Act by virtue of an application made under section three of this Act, the Under Secretary shall be subrogated, to the extent of the payment, to all the rights and remedies of the aggrieved person against the person convicted of the felony, misdemeanour or other offence in respect of which the payment was made.

Under Secretary subrogated to rights against convicted person where payment made.

(2) Any moneys recovered by the Under Secretary pursuant to subsection one of this section shall be paid to the Consolidated Revenue Fund.

8. The Crimes Act 1900, as amended by subsequent Acts, is amended—

Amendment of Act No. 40, 1900.

(a) by inserting at the end of section four hundred and thirty-seven the following new subsections :—

Sec. 437. (Compensation to person aggrieved by any felony or misdemeanour.)

(2) A direction given under subsection one of this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

(3)



*Criminal Injuries Compensation.*

5 (3) In determining whether or not to give a  
direction pursuant to subsection one of this section,  
the Court or Judge shall have regard to any  
behaviour of the aggrieved person which directly  
or indirectly contributed to the injury or loss  
sustained by him, and to such other circumstances  
as it or he considers relevant (including whether  
the aggrieved person is or was a relative of the  
convicted person or was, at the time of the  
10 commission of the felony or misdemeanour, living  
with the convicted person as his wife or her  
husband or as a member of the convicted person's  
household) and shall also have regard to the pro-  
visions of the Criminal Injuries Compensation Act,  
15 1967.

(4) In this section—

“Injury” means bodily harm and includes  
pregnancy, mental shock and nervous  
shock.

20 “Loss” does not include injury.

(b) by inserting at the end of section five hundred and  
fifty-four the following new subsections :—

Sec. 554.  
(Hard or  
light  
labour.)

25 (4) A direction given under subsection three  
of this section shall specify the sum, if any, to be  
paid by way of compensation for injury and the  
sum, if any, to be paid by way of compensation for  
loss.

30 (5) In determining whether or not to give a  
direction pursuant to subsection three of this section,  
the Court shall have regard to any behaviour of the  
aggrieved person which directly or indirectly con-  
tributed to the injury or loss sustained by him, and  
to such other circumstances as it considers relevant  
(including whether the aggrieved person is or was  
35 a relative of the convicted person or was, at the  
time of the commission of the offence, living with  
the convicted person as his wife or her husband or



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*Criminal Injuries Compensation.*

---

as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(6) In this section—

5        “**Injury**” means bodily harm and includes pregnancy, mental shock and nervous shock.

      “**Loss**” does not include injury.

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967  
[5c]







*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 9 March, 1967.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with  
Amendments.*

*Clerk of the Parliaments.*

*Legislative Council Chamber,  
Sydney, March, 1967.*

## New South Wales



ANNO SEXTO DECIMO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. , 1967.

An Act to make provision for the payment, in certain circumstances, of compensation to persons who suffer injury by reason of the commission of certain offences; to amend the Crimes Act 1900, as amended by subsequent Acts; and for purposes connected therewith.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Criminal Injuries Compensation Act, 1967".

(2)

Short title  
and com-  
mencement.

85551 179—

NOTE.—The words to be omitted are ruled through.

*Criminal Injuries Compensation.*

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty-eight.

(3) This Act, section eight excepted, does not apply in respect of compensation for injuries sustained through, or by reason of, offences committed before its commencement.

2. In this Act—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

Interpretation.

10 “Under Secretary” means the Under Secretary of the Department of the Attorney-General and of Justice, or the person for the time being acting as Under Secretary of that Department.

3. Where—

15 (a) a direction for the payment of a sum by way of compensation has been given under section four hundred and thirty-seven or subsection three of section five hundred and fifty-four of the Crimes Act 1900, as amended by subsequent Acts, in respect of any felony, misdemeanour or other  
20 offence; and

Application may be made for payment of compensation directed under section 437 or 554 (3) of Crimes Act from Consolidated Revenue Fund.

(b) the direction is for a sum in excess of one hundred dollars to be paid by way of compensation for injury,

25 the aggrieved person in whose favour the direction has been given may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum so directed to be paid.

30 4. (1) On the acquittal of, or dismissal of an information against, a person accused of any felony, misdemeanour or other offence, the Court or Judge before whom that person was tried may, on application by a person aggrieved by reason of the commission of the offence, grant a certificate stating the sum which they or he would have directed to be paid to the

Aggrieved person may apply for compensation where accused acquitted.

aggrieved



*Criminal Injuries Compensation.*

aggrieved person by way of compensation for injury had the accused person been convicted of the felony, misdemeanour or other offence and had the application been an application made by the aggrieved person under the provisions of section 5 four hundred and thirty-seven or subsection three of section five hundred and fifty-four, as the case may be, of the Crimes Act 1900, as amended by subsequent Acts, for the payment of that compensation.

(2) A certificate shall not be granted under subsection 10 one of this section where the sum referred to in that subsection amounts to one hundred dollars or less.

(3) An aggrieved person to whom a certificate under subsection one of this section has been granted may make application to the Under Secretary for payment to him from 15 the Consolidated Revenue Fund of the sum specified in the certificate.

5. (1) Subject to section six of this Act, the Under Secretary shall, as soon as practicable after receiving an application under section three, or subsection three of section 20 four, of this Act, furnish to the Treasurer a statement signed by the Under Secretary setting forth the particulars of the application and specifying—

Payment of compensation by Treasurer to applicant.

(a) the sum directed to be paid to the applicant as referred to in section three of this Act or the sum 25 specified in the certificate granted to the applicant under subsection one of section four of this Act, as the case may be; and

(b) any amounts which, in the opinion of the Under Secretary, the applicant has received, ~~or is entitled to receive,~~ or would, if he had exhausted all relevant rights of action and other legal remedies available to him, ~~be entitled to receive,~~ independently of this Act, by reason of the injury to which the application relates. 30

(2) Where the Treasurer, after receiving the Under Secretary's statement relating to any such application, considers that in the circumstances of the case the making under 35 **this**



*Criminal Injuries Compensation.*

this subsection of a payment to the applicant is justified, the Treasurer may pay to the applicant an amount equal to the difference between the appropriate amount referred to in paragraph (a) of subsection one of this section, and the  
5 amounts referred to in paragraph (b) of that subsection, as specified in that statement.

(3) Any payments under subsection two of this section may be made without further appropriation than this Act.

6. The Under Secretary may defer furnishing to the  
10 Treasurer any statement under subsection one of section five of this Act, for as long as he considers it necessary to do so, to enable him to specify in the statement the amounts referred to in paragraph (b) of that subsection.

7. (1) Where any payment is made pursuant to section  
15 five of this Act by virtue of an application made under section three of this Act, the Under Secretary shall be subrogated, to the extent of the payment, to all the rights and remedies of the aggrieved person against the person convicted of the felony, misdemeanour or other offence in respect of which the payment  
20 was made.

(2) Any moneys recovered by the Under Secretary pursuant to subsection one of this section shall be paid to the Consolidated Revenue Fund.

8. The Crimes Act 1900, as amended by subsequent Acts,  
25 is amended—

(a) by inserting at the end of section four hundred and  
thirty-seven the following new subsections :—

(2) A direction given under subsection one of  
30 this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

(3)

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*Criminal Injuries Compensation.*

---

5 (3) In determining whether or not to give a  
direction pursuant to subsection one of this section,  
the Court or Judge shall have regard to any  
behaviour of the aggrieved person which directly  
or indirectly contributed to the injury or loss  
sustained by him, and to such other circumstances  
as it or he considers relevant (including whether  
the aggrieved person is or was a relative of the  
10 convicted person or was, at the time of the  
commission of the felony or misdemeanour, living  
with the convicted person as his wife or her  
husband or as a member of the convicted person's  
household) and shall also have regard to the pro-  
visions of the Criminal Injuries Compensation Act,  
15 1967.

(4) In this section—

“Injury” means bodily harm and includes  
pregnancy, mental shock and nervous  
shock.

20 “Loss” does not include injury.

(b) by inserting at the end of section five hundred and  
fifty-four the following new subsections :—

Sec. 554.  
(Hard or  
light  
labour.)

25 (4) A direction given under subsection three  
of this section shall specify the sum, if any, to be  
paid by way of compensation for injury and the  
sum, if any, to be paid by way of compensation for  
loss.

30 (5) In determining whether or not to give a  
direction pursuant to subsection three of this section,  
the Court shall have regard to any behaviour of the  
aggrieved person which directly or indirectly con-  
tributed to the injury or loss sustained by him, and  
to such other circumstances as it considers relevant  
(including whether the aggrieved person is or was  
35 a relative of the convicted person or was, at the  
time of the commission of the offence, living with  
the convicted person as his wife or her husband or

as

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*Criminal Injuries Compensation.*

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as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(6) In this section—

5 "Injury" means bodily harm and includes pregnancy, mental shock and nervous shock.

"Loss" does not include injury.

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967



THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
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CHICAGO, ILLINOIS

1968

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1968

THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES

DEPARTMENT OF CHEMISTRY

LABORATORY OF ORGANIC CHEMISTRY

CHICAGO, ILLINOIS

1954

RESEARCH REPORT

NO. 1000

BY

ROBERT M. WAYNE

AND

WALTER H. WATSON

AND

ROBERT H. WATSON

AND

ROBERT H. WATSON

AND

ROBERT H. WATSON

CHICAGO, ILLINOIS

1954

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 9 March, 1967.*

## New South Wales



ANNO SEXTO DECIMO

**ELIZABETHÆ II REGINÆ**

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**Act No.           , 1967.**

An Act to make provision for the payment, in certain circumstances, of compensation to persons who suffer injury by reason of the commission of certain offences; to amend the Crimes Act 1900, as amended by subsequent Acts; and for purposes connected therewith.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Criminal Injuries Compensation Act, 1967".

(2)

Short title  
and com-  
mencement.



*Criminal Injuries Compensation.*

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty-eight.

(3) This Act, section eight excepted, does not apply in respect of compensation for injuries sustained through, or by reason of, offences committed before its commencement.

2. In this Act—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

Interpretation.

10 “Under Secretary” means the Under Secretary of the Department of the Attorney-General and of Justice, or the person for the time being acting as Under Secretary of that Department.

3. Where—

15 (a) a direction for the payment of a sum by way of compensation has been given under section four hundred and thirty-seven or subsection three of section five hundred and fifty-four of the Crimes Act 1900, as amended by subsequent Acts, in respect of any felony, misdemeanour or other offence; and

Application may be made for payment of compensation directed under section 437 or 554 (3) of Crimes Act from Consolidated Revenue Fund.

20 (b) the direction is for a sum in excess of one hundred dollars to be paid by way of compensation for injury,

25 the aggrieved person in whose favour the direction has been given may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum so directed to be paid.

30 4. (1) On the acquittal of, or dismissal of an information against, a person accused of any felony, misdemeanour or other offence, the Court or Judge before whom that person was tried may, on application by a person aggrieved by reason of the commission of the offence, grant a certificate stating the sum which they or he would have directed to be paid to the

Aggrieved person may apply for compensation where accused acquitted.

aggrieved



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*Criminal Injuries Compensation.*

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aggrieved person by way of compensation for injury had the accused person been convicted of the felony, misdemeanour or other offence and had the application been an application made by the aggrieved person under the provisions of section 5 four hundred and thirty-seven or subsection three of section five hundred and fifty-four, as the case may be, of the Crimes Act 1900, as amended by subsequent Acts, for the payment of that compensation.

(2) A certificate shall not be granted under subsection 10 one of this section where the sum referred to in that subsection amounts to one hundred dollars or less.

(3) An aggrieved person to whom a certificate under subsection one of this section has been granted may make application to the Under Secretary for payment to him from 15 the Consolidated Revenue Fund of the sum specified in the certificate.

5. (1) Subject to section six of this Act, the Under Secretary shall, as soon as practicable after receiving an application under section three, or subsection three of section 20 four, of this Act, furnish to the Treasurer a statement signed by the Under Secretary setting forth the particulars of the application and specifying—

(a) the sum directed to be paid to the applicant as referred to in section three of this Act or the sum 25 specified in the certificate granted to the applicant under subsection one of section four of this Act, as the case may be; and

(b) any amounts which, in the opinion of the Under Secretary, the applicant has received, or is entitled 30 to receive, or would, if he had exhausted all relevant rights of action and other legal remedies available to him, be entitled to receive, independently of this Act, by reason of the injury to which the application relates.

(2) Where the Treasurer, after receiving the Under Secretary's statement relating to any such application, considers that in the circumstances of the case the making under 35 this

Payment  
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pensation by  
Treasurer to  
applicant.



*Criminal Injuries Compensation.*

this subsection of a payment to the applicant is justified, the Treasurer may pay to the applicant an amount equal to the difference between the appropriate amount referred to in paragraph (a) of subsection one of this section, and the  
5 amounts referred to in paragraph (b) of that subsection, as specified in that statement.

(3) Any payments under subsection two of this section may be made without further appropriation than this Act.

6. The Under Secretary may defer furnishing to the  
10 Treasurer any statement under subsection one of section five of this Act, for as long as he considers it necessary to do so, to enable him to specify in the statement the amounts referred to in paragraph (b) of that subsection.

7. (1) Where any payment is made pursuant to section  
15 five of this Act by virtue of an application made under section three of this Act, the Under Secretary shall be subrogated, to the extent of the payment, to all the rights and remedies of the aggrieved person against the person convicted of the felony, misdemeanour or other offence in respect of which the payment  
20 was made.

(2) Any moneys recovered by the Under Secretary pursuant to subsection one of this section shall be paid to the Consolidated Revenue Fund.

8. The Crimes Act 1900, as amended by subsequent Acts,  
25 is amended—

(a) by inserting at the end of section four hundred and thirty-seven the following new subsections :—

(2) A direction given under subsection one of  
30 this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

(3)



*Criminal Injuries Compensation.*

5 (3) In determining whether or not to give a  
direction pursuant to subsection one of this section,  
the Court or Judge shall have regard to any  
behaviour of the aggrieved person which directly  
or indirectly contributed to the injury or loss  
sustained by him, and to such other circumstances  
as it or he considers relevant (including whether  
the aggrieved person is or was a relative of the  
10 convicted person or was, at the time of the  
commission of the felony or misdemeanour, living  
with the convicted person as his wife or her  
husband or as a member of the convicted person's  
household) and shall also have regard to the pro-  
visions of the Criminal Injuries Compensation Act,  
15 1967.

(4) In this section—

“Injury” means bodily harm and includes  
pregnancy, mental shock and nervous  
shock.

20 “Loss” does not include injury.

(b) by inserting at the end of section five hundred and  
fifty-four the following new subsections :—

Sec. 554.  
(Hard or  
light  
labour.)

25 (4) A direction given under subsection three  
of this section shall specify the sum, if any, to be  
paid by way of compensation for injury and the  
sum, if any, to be paid by way of compensation for  
loss.

30 (5) In determining whether or not to give a  
direction pursuant to subsection three of this section,  
the Court shall have regard to any behaviour of the  
aggrieved person which directly or indirectly con-  
tributed to the injury or loss sustained by him, and  
to such other circumstances as it considers relevant  
(including whether the aggrieved person is or was  
35 a relative of the convicted person or was, at the  
time of the commission of the offence, living with  
the convicted person as his wife or her husband or

as

*Criminal Injuries Compensation.*

as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(6) In this section—

5 "Injury" means bodily harm and includes pregnancy, mental shock and nervous shock.

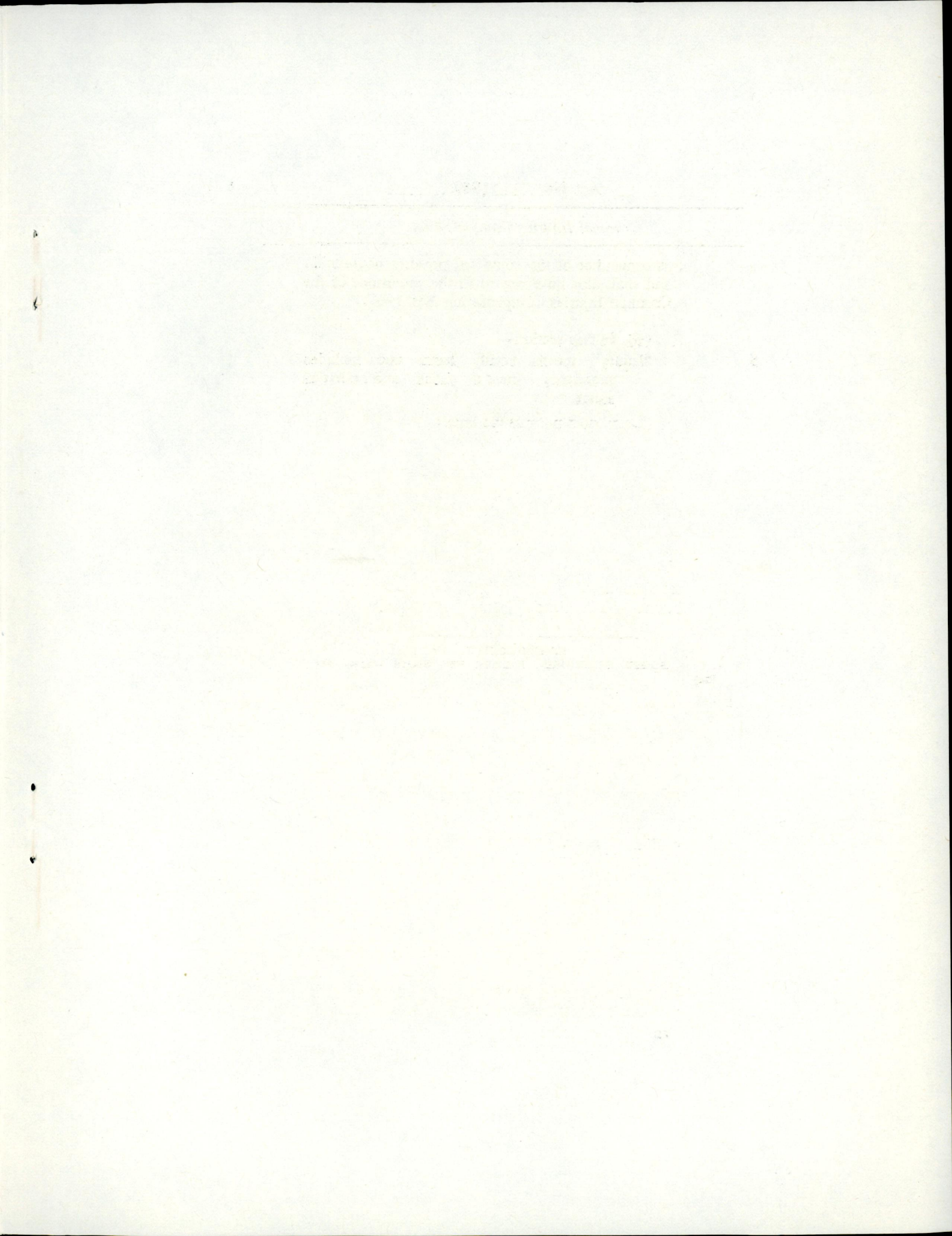
"Loss" does not include injury.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

[5c]







THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES

PHYSICS DEPARTMENT

PHYSICS 309

44

PHYSICS 309

PHYSICS 309

44

No. , 1967.

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## A BILL

To make provision for the payment, in certain circumstances, of compensation to persons who suffer injury by reason of the commission of certain offences; to amend the Crimes Act 1900, as amended by subsequent Acts; and for purposes connected therewith.

[MR McCaw—28 February, 1967.]

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Criminal Injuries Compensation Act, 1967".

Short title  
and com-  
mencement.

(2)



*Criminal Injuries Compensation.*

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty-eight.

(3) This Act, section eight excepted, does not apply in respect of compensation for injuries sustained through, or by reason of, offences committed before its commencement.

2. In this Act—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

Interpretation.

10 “Under Secretary” means the Under Secretary of the Department of the Attorney-General and of Justice, or the person for the time being acting as Under Secretary of that Department.

3. Where—

15 (a) a direction for the payment of a sum by way of compensation has been given under section four hundred and thirty-seven or subsection three of section five hundred and fifty-four of the Crimes Act 1900, as amended by subsequent Acts, in respect of any felony, misdemeanour or other  
20 offence; and

Application may be made for payment of compensation directed under section 437 or 554 (3) of Crimes Act from Consolidated Revenue Fund.

(b) the direction is for a sum in excess of one hundred dollars to be paid by way of compensation for injury,

25 the aggrieved person in whose favour the direction has been given may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum so directed to be paid.

30 4. (1) On the acquittal of, or dismissal of an information against, a person accused of any felony, misdemeanour or other offence, the Court or Judge before whom that person was tried may, on application by a person aggrieved by reason of the commission of the offence, grant a certificate stating the sum which they or he would have directed to be paid to the

Aggrieved person may apply for compensation where accused acquitted.

aggrieved



*Criminal Injuries Compensation.*

aggrieved person by way of compensation for injury had the accused person been convicted of the felony, misdemeanour or other offence and had the application been an application made by the aggrieved person under the provisions of section 5 four hundred and thirty-seven or subsection three of section five hundred and fifty-four, as the case may be, of the Crimes Act 1900, as amended by subsequent Acts, for the payment of that compensation.

(2) A certificate shall not be granted under subsection 10 one of this section where the sum referred to in that subsection amounts to one hundred dollars or less.

(3) An aggrieved person to whom a certificate under subsection one of this section has been granted may make application to the Under Secretary for payment to him from 15 the Consolidated Revenue Fund of the sum specified in the certificate.

5. (1) Subject to section six of this Act, the Under Secretary shall, as soon as practicable after receiving an application under section three, or subsection three of section 20 four, of this Act, furnish to the Treasurer a statement signed by the Under Secretary setting forth the particulars of the application and specifying—

Payment of compensation by Treasurer to applicant.

(a) the sum directed to be paid to the applicant as referred to in section three of this Act or the sum 25 specified in the certificate granted to the applicant under subsection one of section four of this Act, as the case may be; and

(b) any amounts which, in the opinion of the Under Secretary, the applicant has received, or is entitled to receive, or would, if he had exhausted all relevant 30 rights of action and other legal remedies available to him, be entitled to receive, independently of this Act, by reason of the injury to which the application relates.

(2) Where the Treasurer, after receiving the Under Secretary's statement relating to any such application, considers that in the circumstances of the case the making under 35 this

*Criminal Injuries Compensation.*

this subsection of a payment to the applicant is justified, the Treasurer may pay to the applicant an amount equal to the difference between the appropriate amount referred to in paragraph (a) of subsection one of this section, and the amounts referred to in paragraph (b) of that subsection, as specified in that statement.

(3) Any payments under subsection two of this section may be made without further appropriation than this Act.

6. The Under Secretary may defer furnishing to the Treasurer any statement under subsection one of section five of this Act, for as long as he considers it necessary to do so, to enable him to specify in the statement the amounts referred to in paragraph (b) of that subsection.

Under Secretary's statement may be deferred.

7. (1) Where any payment is made pursuant to section five of this Act by virtue of an application made under section three of this Act, the Under Secretary shall be subrogated, to the extent of the payment, to all the rights and remedies of the aggrieved person against the person convicted of the felony, misdemeanour or other offence in respect of which the payment was made.

Under Secretary subrogated to rights against convicted person where payment made.

(2) Any moneys recovered by the Under Secretary pursuant to subsection one of this section shall be paid to the Consolidated Revenue Fund.

8. The Crimes Act 1900, as amended by subsequent Acts, is amended—

Amendment of Act No. 40, 1900.

(a) by inserting at the end of section four hundred and thirty-seven the following new subsections :—  
(2) A direction given under subsection one of this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

Sec. 437. (Compensation to person aggrieved by any felony or misdemeanour.)

(3)



*Criminal Injuries Compensation.*

(3) In determining whether or not to give a direction pursuant to subsection one of this section, the Court or Judge shall have regard to any behaviour of the aggrieved person which directly or indirectly contributed to the injury or loss sustained by him, and to such other circumstances as it or he considers relevant (including whether the aggrieved person is or was a relative of the convicted person or was, at the time of the commission of the felony or misdemeanour, living with the convicted person as his wife or her husband or as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(4) In this section—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

“Loss” does not include injury.

(b) by inserting at the end of section five hundred and fifty-four the following new subsections :—

Sec. 554.  
(Hard or  
light  
labour.)

(4) A direction given under subsection three of this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

(5) In determining whether or not to give a direction pursuant to subsection three of this section, the Court shall have regard to any behaviour of the aggrieved person which directly or indirectly contributed to the injury or loss sustained by him, and to such other circumstances as it considers relevant (including whether the aggrieved person is or was a relative of the convicted person or was, at the time of the commission of the offence, living with the convicted person as his wife or her husband or

as

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*Criminal Injuries Compensation.*

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as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(6) In this section—

5 "Injury" means bodily harm and includes pregnancy, mental shock and nervous shock.

"Loss" does not include injury.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

[5c]



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1967 BILL, 1967

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## CRIMINAL INJURIES COMPENSATION BILL, 1967

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### EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to make provision for the payment, in certain circumstances, of compensation to persons who suffer certain injuries by reason of the commission of felonies, misdemeanours and other offences;
- (b) to make other provisions of a minor or ancillary character.

and with the advice and consent of the Senate  
I have appointed you to the office of  
Assistant Secretary of the Interior  
for the Department of the Interior

Very truly yours,  
John D. Rockefeller



No. , 1967.

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## A BILL

To make provision for the payment, in certain circumstances, of compensation to persons who suffer injury by reason of the commission of certain offences; to amend the Crimes Act 1900, as amended by subsequent Acts; and for purposes connected therewith.

[MR McCaw—28 February, 1967.]

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Criminal Injuries Compensation Act, 1967".
- (2) Short title and commencement.

*Criminal Injuries Compensation.*

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty-eight.

(3) This Act, section eight excepted, does not apply in respect of compensation for injuries sustained through, or by reason of, offences committed before its commencement.

2. In this Act—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

Interpretation.

10 “Under Secretary” means the Under Secretary of the Department of the Attorney-General and of Justice, or the person for the time being acting as Under Secretary of that Department.

3. Where—

15 (a) a direction for the payment of a sum by way of compensation has been given under section four hundred and thirty-seven or subsection three of section five hundred and fifty-four of the Crimes Act 1900, as amended by subsequent Acts, in respect of any felony, misdemeanour or other offence; and

Application may be made for payment of compensation directed under section 437 or 554 (3) of Crimes Act from Consolidated Revenue Fund.

20 (b) the direction is for a sum in excess of one hundred dollars to be paid by way of compensation for injury,

the aggrieved person in whose favour the direction has been given may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum so directed to be paid.

4. (1) On the acquittal of, or dismissal of an information against, a person accused of any felony, misdemeanour or other offence, the Court or Judge before whom that person was tried may, on application by a person aggrieved by reason of the commission of the offence, grant a certificate stating the sum which they or he would have directed to be paid to the

Aggrieved person may apply for compensation where accused acquitted.

aggrieved



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*Criminal Injuries Compensation.*

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aggrieved person by way of compensation for injury had the accused person been convicted of the felony, misdemeanour or other offence and had the application been an application made by the aggrieved person under the provisions of section 5 four hundred and thirty-seven or subsection three of section five hundred and fifty-four, as the case may be, of the Crimes Act 1900, as amended by subsequent Acts, for the payment of that compensation.

(2) A certificate shall not be granted under subsection 10 one of this section where the sum referred to in that subsection amounts to one hundred dollars or less.

(3) An aggrieved person to whom a certificate under subsection one of this section has been granted may make application to the Under Secretary for payment to him from 15 the Consolidated Revenue Fund of the sum specified in the certificate.

5. (1) Subject to section six of this Act, the Under Secretary shall, as soon as practicable after receiving an application under section three, or subsection three of section 20 four, of this Act, furnish to the Treasurer a statement signed by the Under Secretary setting forth the particulars of the application and specifying—

(a) the sum directed to be paid to the applicant as referred to in section three of this Act or the sum 25 specified in the certificate granted to the applicant under subsection one of section four of this Act, as the case may be; and

(b) any amounts which, in the opinion of the Under Secretary, the applicant has received, or is entitled to receive, or would, if he had exhausted all relevant 30 rights of action and other legal remedies available to him, be entitled to receive, independently of this Act, by reason of the injury to which the application relates.

(2) Where the Treasurer, after receiving the Under Secretary's statement relating to any such application, 35 considers that in the circumstances of the case the making under this

*Criminal Injuries Compensation.*

this subsection of a payment to the applicant is justified, the Treasurer may pay to the applicant an amount equal to the difference between the appropriate amount referred to in paragraph (a) of subsection one of this section, and the amounts referred to in paragraph (b) of that subsection, as specified in that statement.

(3) Any payments under subsection two of this section may be made without further appropriation than this Act.

6. The Under Secretary may defer furnishing to the Treasurer any statement under subsection one of section five of this Act, for as long as he considers it necessary to do so, to enable him to specify in the statement the amounts referred to in paragraph (b) of that subsection.

Under Secretary's statement may be deferred.

7. (1) Where any payment is made pursuant to section five of this Act by virtue of an application made under section three of this Act, the Under Secretary shall be subrogated, to the extent of the payment, to all the rights and remedies of the aggrieved person against the person convicted of the felony, misdemeanour or other offence in respect of which the payment was made.

Under Secretary subrogated to rights against convicted person where payment made.

(2) Any moneys recovered by the Under Secretary pursuant to subsection one of this section shall be paid to the Consolidated Revenue Fund.

8. The Crimes Act 1900, as amended by subsequent Acts, is amended—

Amendment of Act No. 40, 1900.

(a) by inserting at the end of section four hundred and thirty-seven the following new subsections :—

Sec. 437. (Compensation to person aggrieved by any felony or misdemeanour.)

(2) A direction given under subsection one of this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

(3)



*Criminal Injuries Compensation.*

5 (3) In determining whether or not to give a  
direction pursuant to subsection one of this section,  
the Court or Judge shall have regard to any  
behaviour of the aggrieved person which directly  
or indirectly contributed to the injury or loss  
sustained by him, and to such other circumstances  
as it or he considers relevant (including whether  
the aggrieved person is or was a relative of the  
convicted person or was, at the time of the  
10 commission of the felony or misdemeanour, living  
with the convicted person as his wife or her  
husband or as a member of the convicted person's  
household) and shall also have regard to the pro-  
visions of the Criminal Injuries Compensation Act,  
15 1967.

(4) In this section—

“Injury” means bodily harm and includes  
pregnancy, mental shock and nervous  
shock.

20 “Loss” does not include injury.

(b) by inserting at the end of section five hundred and  
fifty-four the following new subsections :—

Sec. 554.  
(Hard or  
light  
labour.)

25 (4) A direction given under subsection three  
of this section shall specify the sum, if any, to be  
paid by way of compensation for injury and the  
sum, if any, to be paid by way of compensation for  
loss.

30 (5) In determining whether or not to give a  
direction pursuant to subsection three of this section,  
the Court shall have regard to any behaviour of the  
aggrieved person which directly or indirectly con-  
tributed to the injury or loss sustained by him, and  
to such other circumstances as it considers relevant  
(including whether the aggrieved person is or was  
35 a relative of the convicted person or was, at the  
time of the commission of the offence, living with  
the convicted person as his wife or her husband or

as



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*Criminal Injuries Compensation.*

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as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(6) In this section—

5 "Injury" means bodily harm and includes pregnancy, mental shock and nervous shock.

"Loss" does not include injury.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

[5c]

as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act 1987.

(d) In this section—

"injury" means bodily harm and includes personal, mental shock and nervous

V. C. M. B. 11  
[20]

BILL, 1967

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# New South Wales



ANNO SEXTO DECIMO

## ELIZABETHÆ II REGINÆ

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### Act No. 14, 1967.

An Act to make provision for the payment, in certain circumstances, of compensation to persons who suffer injury by reason of the commission of certain offences; to amend the Crimes Act 1900, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 23rd March, 1967.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Criminal Injuries Compensation Act, 1967".

Short title  
and com-  
mencement.

(2)

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*Criminal Injuries Compensation.*

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(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty-eight.

(3) This Act, section eight excepted, does not apply in respect of compensation for injuries sustained through, or by reason of, offences committed before its commencement.

Interpreta-  
tion.

**2. In this Act—**

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

“Under Secretary” means the Under Secretary of the Department of the Attorney-General and of Justice, or the person for the time being acting as Under Secretary of that Department.

Application  
may be  
made for  
payment of  
compensa-  
tion directed  
under  
section 437  
or 554 (3)  
of Crimes  
Act from  
Consolidated  
Revenue  
Fund.

**3. Where—**

- (a) a direction for the payment of a sum by way of compensation has been given under section four hundred and thirty-seven or subsection three of section five hundred and fifty-four of the Crimes Act 1900, as amended by subsequent Acts, in respect of any felony, misdemeanour or other offence; and
- (b) the direction is for a sum in excess of one hundred dollars to be paid by way of compensation for injury,

the aggrieved person in whose favour the direction has been given may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum so directed to be paid.

Aggrieved  
person  
may apply  
for comp-  
ensation  
where  
accused  
acquitted.

**4. (1)** On the acquittal of, or dismissal of an information against, a person accused of any felony, misdemeanour or other offence, the Court or Judge before whom that person was tried may, on application by a person aggrieved by reason of the commission of the offence, grant a certificate stating the sum which they or he would have directed to be paid to the  
aggrieved

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*Criminal Injuries Compensation.*

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aggrieved person by way of compensation for injury had the accused person been convicted of the felony, misdemeanour or other offence and had the application been an application made by the aggrieved person under the provisions of section four hundred and thirty-seven or subsection three of section five hundred and fifty-four, as the case may be, of the Crimes Act 1900, as amended by subsequent Acts, for the payment of that compensation.

(2) A certificate shall not be granted under subsection one of this section where the sum referred to in that subsection amounts to one hundred dollars or less.

(3) An aggrieved person to whom a certificate under subsection one of this section has been granted may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum specified in the certificate.

5. (1) Subject to section six of this Act, the Under Secretary shall, as soon as practicable after receiving an application under section three, or subsection three of section four, of this Act, furnish to the Treasurer a statement signed by the Under Secretary setting forth the particulars of the application and specifying—

Payment of compensation by Treasurer to applicant.

- (a) the sum directed to be paid to the applicant as referred to in section three of this Act or the sum specified in the certificate granted to the applicant under subsection one of section four of this Act, as the case may be; and
- (b) any amounts which, in the opinion of the Under Secretary, the applicant has received, or would, if he had exhausted all relevant rights of action and other legal remedies available to him, receive, independently of this Act, by reason of the injury to which the application relates.

(2) Where the Treasurer, after receiving the Under Secretary's statement relating to any such application, considers that in the circumstances of the case the making under this



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*Criminal Injuries Compensation.*

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this subsection of a payment to the applicant is justified, the Treasurer may pay to the applicant an amount equal to the difference between the appropriate amount referred to in paragraph (a) of subsection one of this section, and the amounts referred to in paragraph (b) of that subsection, as specified in that statement.

(3) Any payments under subsection two of this section may be made without further appropriation than this Act.

Under Secretary's statement may be deferred.

6. The Under Secretary may defer furnishing to the Treasurer any statement under subsection one of section five of this Act, for as long as he considers it necessary to do so, to enable him to specify in the statement the amounts referred to in paragraph (b) of that subsection.

Under Secretary subrogated to rights against convicted person where payment made.

7. (1) Where any payment is made pursuant to section five of this Act by virtue of an application made under section three of this Act, the Under Secretary shall be subrogated, to the extent of the payment, to all the rights and remedies of the aggrieved person against the person convicted of the felony, misdemeanour or other offence in respect of which the payment was made.

(2) Any moneys recovered by the Under Secretary pursuant to subsection one of this section shall be paid to the Consolidated Revenue Fund.

Amendment of Act No. 40, 1900.

8. The Crimes Act 1900, as amended by subsequent Acts, is amended—

Sec. 437.  
(Compensation to person aggrieved by any felony or misdemeanour.)

(a) by inserting at the end of section four hundred and thirty-seven the following new subsections :—

(2) A direction given under subsection one of this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

(3)

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*Criminal Injuries Compensation.*

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(3) In determining whether or not to give a direction pursuant to subsection one of this section, the Court or Judge shall have regard to any behaviour of the aggrieved person which directly or indirectly contributed to the injury or loss sustained by him, and to such other circumstances as it or he considers relevant (including whether the aggrieved person is or was a relative of the convicted person or was, at the time of the commission of the felony or misdemeanour, living with the convicted person as his wife or her husband or as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(4) In this section—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

“Loss” does not include injury.

(b) by inserting at the end of section five hundred and fifty-four the following new subsections :—

(4) A direction given under subsection three of this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

Sec. 554.  
(Hard or  
light  
labour.)

(5) In determining whether or not to give a direction pursuant to subsection three of this section, the Court shall have regard to any behaviour of the aggrieved person which directly or indirectly contributed to the injury or loss sustained by him, and to such other circumstances as it considers relevant (including whether the aggrieved person is or was a relative of the convicted person or was, at the time of the commission of the offence, living with the convicted person as his wife or her husband or

as

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*Criminal Injuries Compensation.*

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as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(6) In this section—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

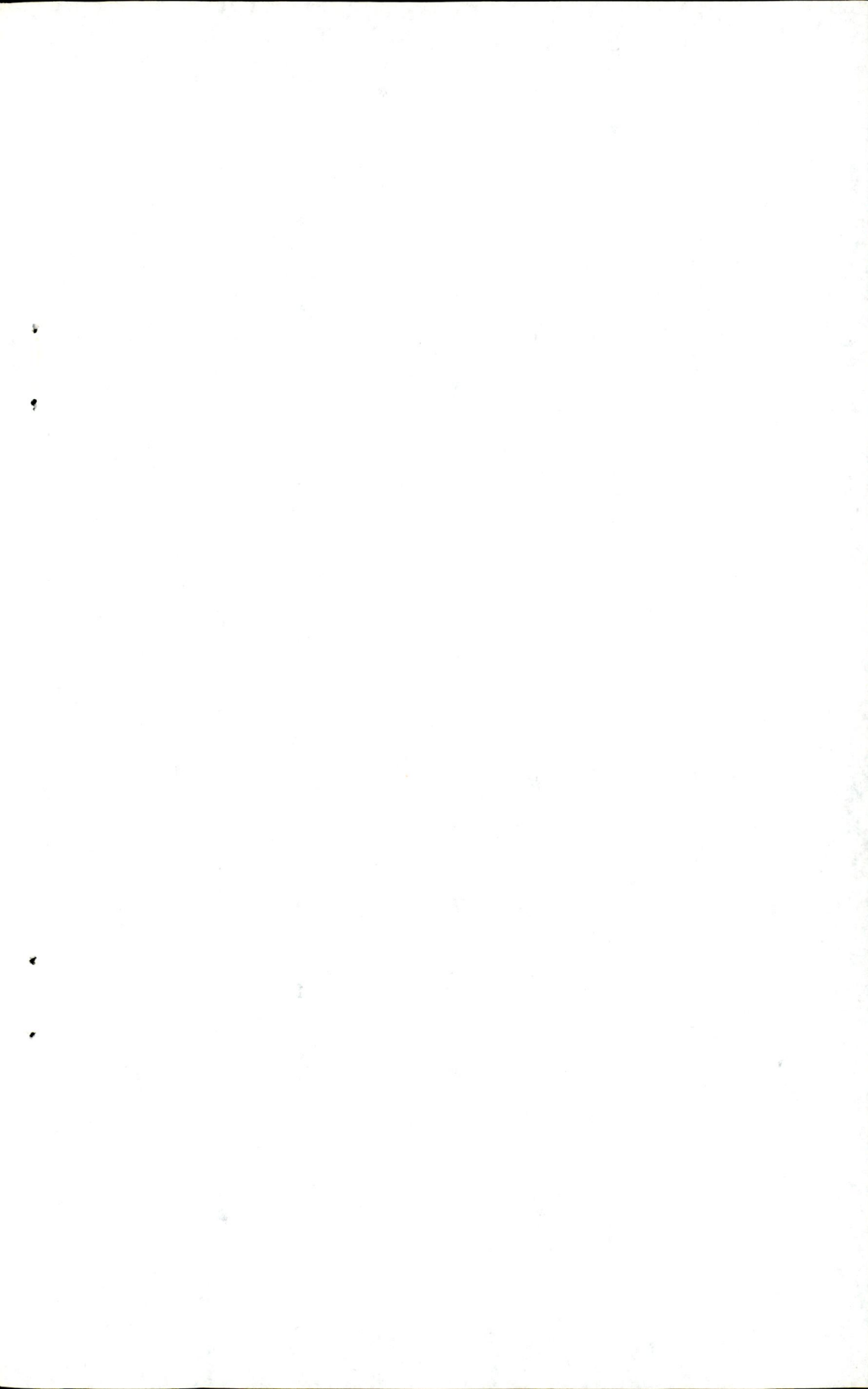
“Loss” does not include injury.

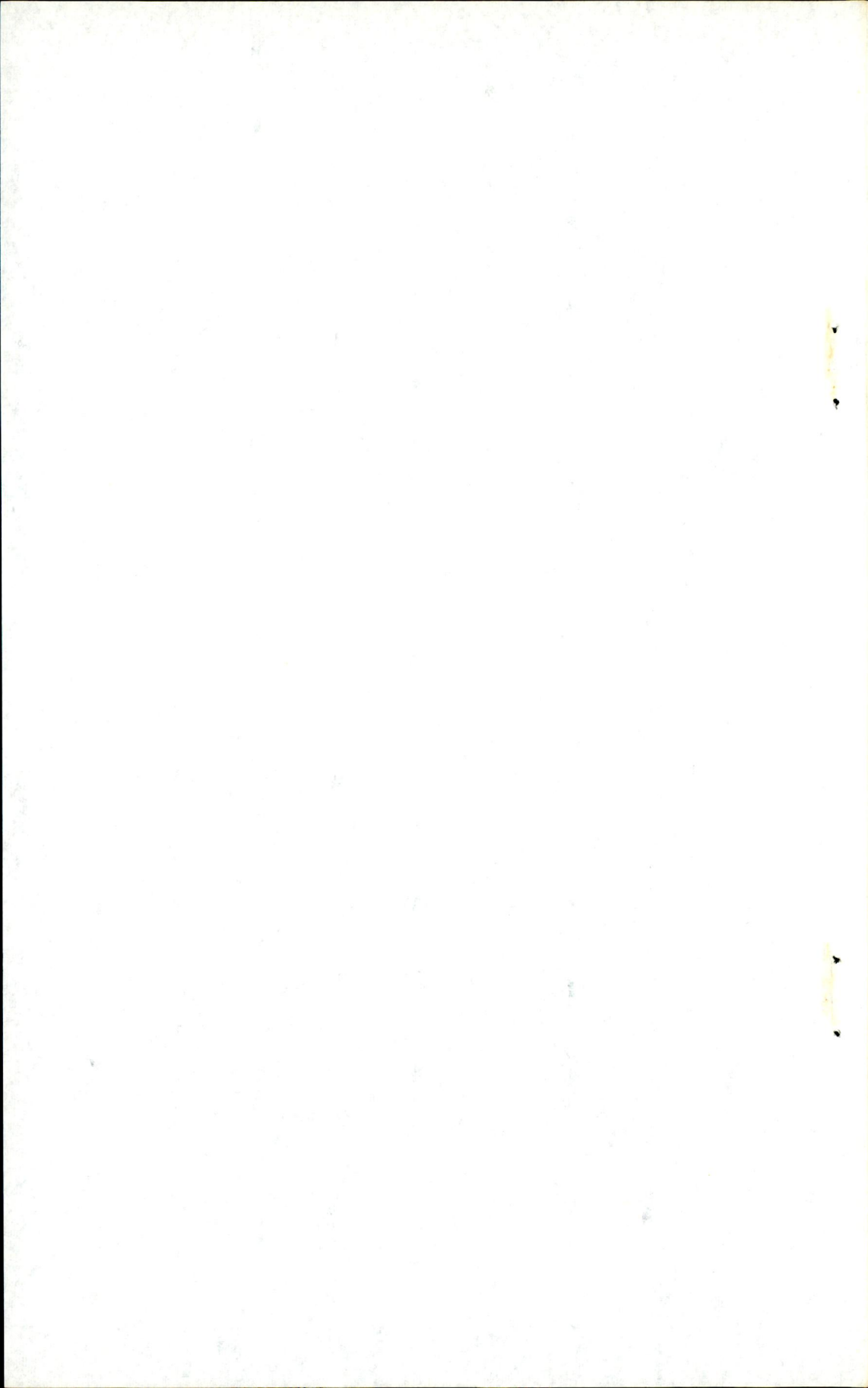
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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967







*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 16 March, 1967.*

## New South Wales



ANNO SEXTO DECIMO

# ELIZABETHÆ II REGINÆ

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### Act No. 14, 1967.

An Act to make provision for the payment, in certain circumstances, of compensation to persons who suffer injury by reason of the commission of certain offences; to amend the Crimes Act 1900, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 23rd March, 1967.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Criminal Injuries Compensation Act, 1967".
- (2) Short title and commencement.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

G. R. CRAWFORD,  
*Chairman of Committees of the Legislative Assembly.*



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*Criminal Injuries Compensation.*

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(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty-eight.

(3) This Act, section eight excepted, does not apply in respect of compensation for injuries sustained through, or by reason of, offences committed before its commencement.

Interpreta-  
tion.

2. In this Act—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

“Under Secretary” means the Under Secretary of the Department of the Attorney-General and of Justice, or the person for the time being acting as Under Secretary of that Department.

Application  
may be  
made for  
payment of  
compensa-  
tion directed  
under  
section 437  
or 554 (3)  
of Crimes  
Act from  
Consolidated  
Revenue  
Fund.

3. Where—

(a) a direction for the payment of a sum by way of compensation has been given under section four hundred and thirty-seven or subsection three of section five hundred and fifty-four of the Crimes Act 1900, as amended by subsequent Acts, in respect of any felony, misdemeanour or other offence; and

(b) the direction is for a sum in excess of one hundred dollars to be paid by way of compensation for injury,

the aggrieved person in whose favour the direction has been given may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum so directed to be paid.

Aggrieved  
person  
may apply  
for com-  
pensation  
where  
accused  
acquitted.

4. (1) On the acquittal of, or dismissal of an information against, a person accused of any felony, misdemeanour or other offence, the Court or Judge before whom that person was tried may, on application by a person aggrieved by reason of the commission of the offence, grant a certificate stating the sum which they or he would have directed to be paid to the  
**aggrieved**



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*Criminal Injuries Compensation.*

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aggrieved person by way of compensation for injury had the accused person been convicted of the felony, misdemeanour or other offence and had the application been an application made by the aggrieved person under the provisions of section four hundred and thirty-seven or subsection three of section five hundred and fifty-four, as the case may be, of the Crimes Act 1900, as amended by subsequent Acts, for the payment of that compensation.

(2) A certificate shall not be granted under subsection one of this section where the sum referred to in that subsection amounts to one hundred dollars or less.

(3) An aggrieved person to whom a certificate under subsection one of this section has been granted may make application to the Under Secretary for payment to him from the Consolidated Revenue Fund of the sum specified in the certificate.

5. (1) Subject to section six of this Act, the Under Secretary shall, as soon as practicable after receiving an application under section three, or subsection three of section four, of this Act, furnish to the Treasurer a statement signed by the Under Secretary setting forth the particulars of the application and specifying—

Payment  
of com-  
pensation by  
Treasurer to  
applicant.

(a) the sum directed to be paid to the applicant as referred to in section three of this Act or the sum specified in the certificate granted to the applicant under subsection one of section four of this Act, as the case may be; and

(b) any amounts which, in the opinion of the Under Secretary, the applicant has received, or would, if he had exhausted all relevant rights of action and other legal remedies available to him, receive, independently of this Act, by reason of the injury to which the application relates.

(2) Where the Treasurer, after receiving the Under Secretary's statement relating to any such application, considers that in the circumstances of the case the making under this

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*Criminal Injuries Compensation.*

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this subsection of a payment to the applicant is justified, the Treasurer may pay to the applicant an amount equal to the difference between the appropriate amount referred to in paragraph (a) of subsection one of this section, and the amounts referred to in paragraph (b) of that subsection, as specified in that statement.

(3) Any payments under subsection two of this section may be made without further appropriation than this Act.

Under Secretary's statement may be deferred.

6. The Under Secretary may defer furnishing to the Treasurer any statement under subsection one of section five of this Act, for as long as he considers it necessary to do so, to enable him to specify in the statement the amounts referred to in paragraph (b) of that subsection.

Under Secretary subrogated to rights against convicted person where payment made.

7. (1) Where any payment is made pursuant to section five of this Act by virtue of an application made under section three of this Act, the Under Secretary shall be subrogated, to the extent of the payment, to all the rights and remedies of the aggrieved person against the person convicted of the felony, misdemeanour or other offence in respect of which the payment was made.

(2) Any moneys recovered by the Under Secretary pursuant to subsection one of this section shall be paid to the Consolidated Revenue Fund.

Amendment of Act No. 40, 1900.

8. The Crimes Act 1900, as amended by subsequent Acts, is amended—

Sec. 437.  
(Compensation to person aggrieved by any felony or misdemeanour.)

(a) by inserting at the end of section four hundred and thirty-seven the following new subsections :—

(2) A direction given under subsection one of this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

(3)



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*Criminal Injuries Compensation.*

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(3) In determining whether or not to give a direction pursuant to subsection one of this section, the Court or Judge shall have regard to any behaviour of the aggrieved person which directly or indirectly contributed to the injury or loss sustained by him, and to such other circumstances as it or he considers relevant (including whether the aggrieved person is or was a relative of the convicted person or was, at the time of the commission of the felony or misdemeanour, living with the convicted person as his wife or her husband or as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(4) In this section—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

“Loss” does not include injury.

(b) by inserting at the end of section five hundred and fifty-four the following new subsections :—

Sec. 554.  
(Hard or  
light  
labour.)

(4) A direction given under subsection three of this section shall specify the sum, if any, to be paid by way of compensation for injury and the sum, if any, to be paid by way of compensation for loss.

(5) In determining whether or not to give a direction pursuant to subsection three of this section, the Court shall have regard to any behaviour of the aggrieved person which directly or indirectly contributed to the injury or loss sustained by him, and to such other circumstances as it considers relevant (including whether the aggrieved person is or was a relative of the convicted person or was, at the time of the commission of the offence, living with the convicted person as his wife or her husband or

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*Criminal Injuries Compensation.*

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as a member of the convicted person's household) and shall also have regard to the provisions of the Criminal Injuries Compensation Act, 1967.

(6) In this section—

“Injury” means bodily harm and includes pregnancy, mental shock and nervous shock.

“Loss” does not include injury.

*In the name and on behalf of Her Majesty I assent to this Act.*

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 23rd March, 1967.*

