

TASMANIA

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**VICTIMS OF CRIME ASSISTANCE AMENDMENT  
(FUNERAL EXPENSES) BILL 2015**

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# **VICTIMS OF CRIME ASSISTANCE AMENDMENT (FUNERAL EXPENSES) BILL 2015**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*  
18 August 2015

*(Brought in by the Minister for Health, the Honourable  
Michael Darrel Joseph Ferguson)*

## **A BILL FOR**

### **An Act to amend the *Victims of Crime Assistance Act 1976***

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **1. Short title**

This Act may be cited as the *Victims of Crime Assistance Amendment (Funeral Expenses) Act 2015*.

#### **2. Commencement**

This Act commences on a day to be proclaimed.

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**3. Principal Act**

In this Act, the *Victims of Crime Assistance Act 1976*\* is referred to as the Principal Act.

**4. Section 4 amended (Basis of awards of compensation)**

Section 4 of the Principal Act is amended as follows:

(a) by inserting the following subsections after subsection (1):

(1A) Subject to subsection (1B), in respect of the death of a primary victim as a result of criminal conduct, compensation may be awarded under this Act to a person for funeral expenses actually and reasonably incurred, or reasonably likely to be incurred, by the person in relation to the death of the primary victim.

(1B) Compensation may only be awarded to a person under subsection (1A) where the criminal conduct, which resulted in the death of the primary victim, occurred on or after the

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\*No. 32 of 1976

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day on which that subsection  
commenced.

- (b) by inserting in subsection (3)(b) “(other than funeral expenses)” after “expenses”;
- (c) by inserting in subsection (4)(b) “(other than funeral expenses)” after “expenses”.

**5. Section 6A amended (Limits on amount of awards)**

Section 6A of the Principal Act is amended as follows:

- (a) by inserting in subsection (1) “(not including any amount that may be payable under section 4(1A))” after “amount”;
- (b) by inserting the following subsections after subsection (1):
  - (1A) Subject to subsection (1B), the total amount awarded under section 4(1A) to a person for funeral expenses actually and reasonably incurred, or reasonably likely to be incurred, by the person in relation to the death of a primary victim as a result of any particular criminal conduct must not exceed the prescribed maximum.

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(1B) If more than one person is eligible for an award of compensation, the total amount under section 4(1A) that may be awarded to all such persons taken together must not exceed the maximum prescribed for the purpose of subsection (1A).

(c) by omitting from subsection (2) “subsection (1)” and substituting “subsection (1) or (1A)”.

**6. Repeal of Act**

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.