

## FACT SHEET

### *Victims of Crime Assistance Amendment Act 2023*

The purpose of this Bill is to provide certainty around how awards under the *Victims of Crime Assistance Act 1976* are to be calculated, and in particular, how the indexation provisions apply.

The Bill clarifies that the maximum amount a person may be awarded under the Act is either the relevant prescribed maximum that applied at the time the application was *lodged*, or the relevant prescribed maximum that applied at the time the application was *determined*, whichever is the greater amount.

This amendment benefits victims by ensuring the value of their award does not decrease in real terms with the passage of time while their application is pending. In practice, the current regulations provide for annual CPI-indexation, so the Bill's amendments will have the effect that victims receive up to the currently CPI-indexed amount as at the date of their award.

The Bill also clarifies that the amendments made by the Bill apply to all pending applications – whether lodged before or after the amendments take effect.

For the avoidance of doubt, the Bill also clarifies that a determination is not invalid if it was made on or after 15 December 2021 (when the new regulations commenced) and the total amount awarded after that date does not exceed the relevant prescribed maximum that applied at the time the application was determined by the Commissioner. This ensures the validity of awards made under the new regulations to date.