

NORTHERN TERRITORY OF AUSTRALIA

CRIMES (VICTIMS ASSISTANCE) ACT

As in force at 1 July 1996

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 July 1996

CRIMES (VICTIMS ASSISTANCE) ACT

An Act to provide assistance to certain persons injured or who suffer grief as a result of criminal acts

Part I Preliminary

1 Short title

This Act may be cited as the *Crimes (Victims Assistance) Act*.

2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3 Repeal

The *Criminal Injuries (Compensation) Ordinance 1976* is repealed.

4 Interpretation

(1) In this Act, unless the contrary intention appears:

applicant means a person who makes an application under section 5.

assistance certificate means an assistance certificate issued by the Court under section 8(1).

Court means the Local Court.

de facto partner, in relation to a deceased victim, means:

- (a) where the victim was a man – a woman who, immediately before the victim's death, was living with him as his wife on a bona fide domestic basis although not married to him; and
- (b) where the victim was a woman – a man who, immediately before the victim's death, was living with her as her husband on a bona fide domestic basis although not married to her.

dependant, in relation to a deceased victim, means a relative of the victim who:

- (a) at the time of the death of the victim was wholly or substantially dependent upon him financially; or
- (b) would have been so dependent but for the injury suffered by the deceased victim.

Fund means the Victims' Assistance Fund established by section 25A.

injury means bodily harm, mental injury, pregnancy, mental shock or nervous shock but does not include an injury arising from the loss of or damage to property (which loss or damage is the result of an offence relating to that property).

offence means an offence, whether indictable or not, committed by one or more persons which results in injury to another person.

offender means a person who commits an offence which results in an injury to another person.

relative, in relation to a deceased victim, means a person who:

- (a) is the widow or widower of the victim;
- (b) is the de facto partner of the victim;
- (c) was a stepchild of the victim, including a child of the de facto partner of the victim; or
- (d) was related by blood or adoption to the victim.

victim means a person who is injured or dies as the result of the commission of an offence by another person.

- (2) For the purpose of determining whether a person is a relative of a deceased victim, an Aboriginal who has entered into a relationship with another Aboriginal that is recognized as a traditional marriage by the community or group to which either Aboriginal belongs is married to the other Aboriginal, and all relationships shall be determined accordingly.
- (3) Where a child of a victim is born after the death of the victim, the child is deemed, for the purposes of this Act, to be a dependant of the deceased victim in all respects as if the child was born during the life of the victim.

Part II Assistance certificate

5 Application for assistance certificate

- (1) A victim or, where the victim is an infant or the Court is satisfied the victim, because of injury, disease or physical or mental infirmity, is not capable of managing his or her affairs in relation to the application, a person who, in the opinion of the Court, is a suitable person to represent the interests of a victim, may, within 12 months after the date of the offence, apply to a Court for an assistance certificate in respect of the injury suffered by him as a result of that offence.
- (2) Where a victim has died, as a result of the injury suffered by him, prior to the issue to him of an assistance certificate, a person who, in the opinion of the Court, is a suitable person to represent the interests of the dependants of the deceased victim may, within 12 months after the death of the victim, apply to the Court, on behalf of the dependants of the deceased victim, for an assistance certificate in respect of the financial loss suffered by the dependants.
- (2A) Where a victim has died as a result of the injury suffered by the victim:
 - (a) the widow or widower, or the de facto partner; or
 - (b) where the victim at the date of death had not attained the age of 18 years, a parent,of the victim may, within 12 months after the death of the victim, apply to the Court for an assistance certificate in respect of the grief suffered by that person as a result of the death of the victim.
- (3) The Court may, as it thinks fit, extend the period within which an application under this section may be made.
- (4) Subject to subsection (3), the limitation on the time for making an application under this section shall apply to and in relation to a person under a disability notwithstanding any provision to the contrary in the *Limitation Act*.

6 Service of copy of application

- (1) An applicant shall serve, or cause to be served, a copy of the application upon:
 - (a) the Solicitor for the Northern Territory; and

- (b) where the identity of the offender who caused the injury or death is known – the offender,

not less than 14 days prior to the date upon which the application is to be heard by the Court.

- (2) The Court may, as it thinks fit, dispense with service under subsection (1) of a copy of the application on an offender.

7 Parties

The Crown and, where the identity of the offender who caused the injury or death is known, the offender shall be parties to proceedings in respect of an application under section 5.

8 Assistance certificate

- (1) Upon hearing an application under section 5, the Court may issue an assistance certificate, but shall not issue more than one certificate in respect of any one application.

- (2) An assistance certificate shall certify that the Territory shall pay:

- (a) in respect of an application under section 5(1), to the victim, an amount specified in the certificate by way of assistance for the injury suffered by the victim;

- (b) in respect of an application under section 5(2), to the dependants, an amount specified in the certificate by way of assistance for the financial loss suffered by them as a result of the death of the victim (to be apportioned between the dependants, as the Court thinks fit); or

- (c) in respect of an application under:

- (i) section 5(2A)(a) – to the widow or widower or the de facto partner; or

- (ii) section 5(2A)(b) – to the parent,

of the victim, an amount specified in the certificate for grief suffered by that person or those persons, as the case may be, as a result of the death of the victim (to be apportioned, where applicable, as the Court thinks fit).

- (3) Subject to subsection (5), the Court shall not issue an assistance certificate in respect of an application under section 5(2A)(a) or (b) for grief suffered by an applicant as a result of the death of a victim unless it is satisfied that no other person has applied, or may apply, for assistance under the same paragraph for grief suffered as a

result of the death of that victim.

- (4) Where, under subsection (3), the Court is satisfied that another person has applied, or may apply, for assistance under the same paragraph of section 5(2A), the Court shall adjourn the hearing of the application and order that, where another person:

(a) has applied for assistance, the applications be heard together;
or

(b) may apply for assistance, the applicant,

serve a copy of the application and a notice specifying the date and place to which the application is adjourned on such persons as the Court directs.

- (5) Where a person referred to in subsection (4) is served with a copy of the application and notice in accordance with that subsection, and that person:

(a) attends the Court on the date and at the place specified in the notice, that person shall be deemed to have made the application jointly with the applicant, and the Court may proceed to hear and determine the application on that basis, and the amount specified in an assistance certificate, if issued, on the determination of the application shall be apportioned between the person and the applicant as the Court thinks fit;
or

(b) fails to attend the Court on the date and at the place specified in the notice, the Court shall, on being satisfied that the person has been served with a copy of the application and notice referred to in subsection (4), hear the application.

- (6) Service of the copy of an application and the notice referred to in subsection (4) shall be effected in such manner as the Court directs.

- (7) A person referred to in subsection 5(b) is, by virtue of this subsection, barred from making any other application under section 5(2A) in respect of the victim in relation to whose death the first application was made.

- (8) Where an application under section 5 is made by a person on behalf of another person, the Court may make such order as it thinks fit as to whom the assistance specified in the assistance certificate shall be paid and how that assistance is to be used or managed.

- (9) An order made under subsection (8) shall be endorsed on the assistance certificate.
- (10) Where the Court issues an assistance certificate it may make such order as to costs and disbursements as it thinks fit.

9 Principles for assessment of assistance

- (1) In assessing the amount of assistance to be specified in an assistance certificate in respect of an application under section 5(1) or (2), the Court may, subject to this Act include an amount in respect of:
 - (a) expenses actually incurred as a result of the injury suffered by, or the death of, the victim;
 - (b) pecuniary loss to the victim as a result of his total or partial incapacity for work;
 - (c) pecuniary loss to the dependants of the victim as a result of his death;
 - (d) any other pecuniary loss arising in consequence of injury suffered by, or the death of, the victim and any other expenses reasonably so incurred;
 - (e) pain and suffering of the victim;
 - (f) mental distress of the victim;
 - (g) loss of the amenities of life by the victim;
 - (h) loss of expectation of life by the victim; and
 - (j) loss of, or damage to, the clothing of the victim being worn at the time of the commission of the offence.
- (2) For the purposes of subsection (1)(f), mental distress does not include grief.

10 Behaviour of victim, &c., to be taken into account

- (1) In considering an application for assistance, and in assessing the amount of assistance to be specified in an assistance certificate, the Court shall have regard to the conduct of the victim and to any other matters it considers relevant.
- (2) Where the Court, on having regard under subsection (1) to the conduct of the victim, is satisfied that the victim's conduct contributed to the injury or death of the victim it shall reduce the

amount of assistance specified in the assistance certificate by such amount as it considers appropriate in all the circumstances.

10A Consent agreement

- (1) Notwithstanding this Act, but subject to this section, where all the parties to the proceedings agree on the amount of assistance to be specified in an assistance certificate, the Court shall, on being satisfied that such an agreement has been reached, issue an assistance certificate specifying the agreed amount.
- (2) Nothing in subsection (1) permits the issuing of an assistance certificate specifying an amount greater than that permitted by section 13.
- (3) Where the Court dispenses with service of an application on an offender under section 6(2), it may issue an assistance certificate specifying an amount agreed under subsection (1) notwithstanding that amount is not agreed to by the offender.

11 Circumstances in which compensation not payable

In assessing the amount of compensation to be specified in a compensation certificate, the Court shall not include an amount:

- (a) by way of exemplary, punitive or aggravated damages;
- (b) in respect of loss or damage to personal property other than property referred to in section 9(j); or
- (c) where the offence directly resulted in the victim becoming pregnant and the victim gives birth to a child – in respect of the maintenance of the child.

12 Assistance certificate not to be issued in certain circumstances

The Court shall not issue an assistance certificate:

- (a) where it is not satisfied, on the balance of probabilities, that the person whom the applicant claims was injured or killed was a victim within the meaning of this Act;
- (b) where the commission of the offence was not reported to a member of the Police Force within a reasonable time after the commission of the offence, unless it is satisfied that circumstances existed which prevented the reporting of the commission of the offence;

- (c) where an applicant or victim has failed to assist the Police Force in the investigation or prosecution of the offence;
- (d) where it is satisfied that the applicant has made the application in collusion with the offender; or
- (e) in respect of an injury or death caused by, or arising out of, the use of a motor vehicle except where that use constitutes an offence under the Criminal Code.

13 Limitation on amount

- (1) The amount specified in an assistance certificate in respect of an application under:
 - (a) section 5(1) or (2) – shall be not more than \$25,000 (including any amounts specified under section 9) or less than \$100; or
 - (b) section 5(2A) – subject to subsection (3), shall be \$3,000.
- (2) In assessing the amount to be specified in an assistance certificate the Court shall have regard to the amount of any payment received by or payable to the victim or a dependant of the victim for the injury or death of the victim caused by the commission of the offence including the amount of any payment received or payable:
 - (a) by way of compensation or damages from the offender or any person on behalf of the offender; or
 - (b) under:
 - (i) the *Motor Accidents (Compensation) Act*;
 - (ii) the *Work Health Act*; or
 - (iii) a law of the Commonwealth, a State or another Territory of the Commonwealth relating to the payment of compensation to an employee in respect of death or injury resulting from an accident in or in connection with the employee's employment,and the Court shall reduce the amount so specified in the assistance certificate by such amount as it considers appropriate in the circumstances.
- (3) Notwithstanding subsection (1)(b), where more than one application is made under the same paragraph of section 5(2A) for grief suffered as the result of the death of a victim, the total of the amounts specified in the assistance certificates issued following the hearing of those applications shall be not greater than \$3000,

apportioned as the Court thinks fit.

13A Repayment of assistance in certain circumstances

- (1) Where the Court issues an assistance certificate and is satisfied that a victim or a dependant of a victim is, or may be, entitled to a payment referred to in section 13(2), the Court may make such order as to the repayment of the whole or a part of the amount specified in the certificate, if such a payment is received, under such circumstances as it thinks fit and specifies in the certificate.
- (2) A person who contravenes or fails to comply with an order under subsection (1) is guilty of an offence.

Penalty: \$2,000 or imprisonment for 6 months.

14 Joint offenders, &c.

Where a victim suffers an injury or dies as a result of:

- (a) an offence committed by more than one offender;
- (b) a series of offences committed consecutively by one offender in circumstances in which those offences constitute a single incident; or
- (c) a series of offences committed simultaneously or consecutively by more than one offender acting in concert or in circumstances in which those offences constitute a single incident,

only one application may be made:

- (d) under section 5(1) by or on behalf of the victim;
- (e) under section 5(2) by or on behalf of the dependants of the victim; or
- (f) under section 5(2A) by each person permitted to make an application under that subsection,

in respect of that offence or incident, as the case may be.

Part III Procedure, hearing and appeals

15 Procedure

- (1) On the hearing by the Court of an application under section 5, the procedure of the Court is, subject to this Act, the Regulations and any rules or practice directions made or given specifically for the

conduct of the business of the Court under this Act, within the discretion of the Court.

- (2) The hearing of an application under section 5 shall be conducted with as little formality and technicality, and with as much expedition, as the requirements of this Act and a proper consideration of the application permit.
- (3) Subject to this Act, the Court is not bound by any rules of evidence but may inform itself on any matter in such manner as it thinks fit.

16 Adjournments

- (1) The Solicitor for the Northern Territory may, at any time before the Court has issued an assistance certificate, apply to the Court for an adjournment of proceedings under this Act on the ground that:
 - (a) a prosecution for an offence in respect of which the issue of an assistance certificate is sought has been, or is about to be, commenced;
 - (b) the victim or a dependant of the victim is, or may be, entitled to a payment referred to in section 13(2); or
 - (c) the applicant has made, or is entitled to make, another application under section 5.
- (2) Where the Solicitor for the Northern Territory applies under subsection (1), the Court may make an order adjourning the proceedings for such period as it thinks fit.

17 Proof and evidence

- (1) A fact to be proved by an applicant in proceedings under this Act shall be sufficiently proved where it is proved on the balance of probabilities.
- (2) In proceedings under this Act, the Court may receive in evidence any transcript of evidence in proceedings in any other court, and may draw any conclusions of fact therefrom that it considers proper.

18 Court may be closed

The Court may, as it thinks fit, close proceedings under this Act to the public or a specified person or group of persons.

19 Reservation of questions of law

- (1) The Court may reserve for the decision of the Supreme Court a question of law arising out of an application under section 5 and the decision of the Supreme Court shall be certified to and be binding on the Court.
- (2) Costs consequent on a reservation under subsection (1) shall be in the discretion of the Supreme Court.

Part IV Payments and recovery**20 Payments by Territory**

The Territory shall, within 28 days after the issue of an assistance certificate, pay the amount specified in the certificate:

- (a) to the applicant; or
- (b) in accordance with any order made under section 8(8),

as the case may be, and as soon as practicable pay such amount, by way of costs and disbursements, as is ordered by the Court.

21 Recovery from offender

- (1) Where:
 - (a) an offender is convicted of an offence; and
 - (b) the Territory has paid an amount under section 20 in respect of the injury or death resulting from the commission of that offence,

the Territory may recover from the offender as a debt due and payable to the Territory an amount equal to the amount of assistance, costs and disbursements paid under section 20.

- (2) For the purposes of subsection (1), the Solicitor for the Northern Territory may file in the Court a notice of payment, in the prescribed form, specifying the amount of assistance, costs and disbursements paid under section 20.
- (3) Where a prescribed notice of payment is filed in the Court under subsection (2), the amount specified in the notice shall be deemed, by virtue of this section, to be a judgment of the Court against the offender for that amount in favour of the Territory, and that judgment may be enforced accordingly.

22 Subrogation

Where the Territory pays an amount under section 20, the Territory shall be subrogated to the rights of:

- (a) the victim, or his dependants, as the case may be, as against the offender; and
- (b) the offender as against any insurer or other person from whom the offender is entitled to indemnity or contribution in respect of liability arising from the injury or death to which the payment relates.

23 Preservation of civil remedy

- (1) Nothing in this Act affects the right of a person to claim or recover compensation or damages otherwise than under this Act.
- (2) A Court by which an action for damages under a law, other than this Act, is heard shall not take into consideration that compensation has been or may be paid under this Act.

24 Taxation of costs

- (1) A legal practitioner shall not be entitled:
 - (a) to recover from an applicant costs in respect of an application under section 5;
 - (b) to claim a lien in respect of costs on an amount paid or payable under section 20; or
 - (c) to deduct costs from an amount so paid or payable,except to the extent to which the costs have been allowed as between the legal practitioner and the applicant by the Court on the application of the legal practitioner or the applicant.
- (2) Subsection (1) does not apply to costs which are disbursements of the legal practitioner.

25 Recovered money to Fund

Any money recovered by the Minister under this Act shall be paid into the Fund.

Part IVA Victims' assistance Fund

25A Victims' Assistance Fund

- (1) There is established a fund to be known as the Victims' Assistance Fund.
- (2) The Fund shall consist of money:
 - (a) appropriated for the purposes of the Fund to the department for the time being principally responsible under the Minister for the administration of this Act;
 - (b) paid into the Fund under subsection (3);
 - (c) recovered by the Territory under this Act; and
 - (d) paid into the Fund in pursuance of any other Act.
- (3) In each financial year the prescribed proportion of the aggregate amount paid into the Consolidated Revenue Account by way of fines, and the total amount of the levy imposed under section 25B, shall be paid into the Fund.
- (4) The money of the Fund shall be credited into a fund maintained within the Agency Operating Account for that purpose.
- (5) A payment made after the commencement of the *Crimes Compensation Amendment Act 1989* under this Act or the *Criminal Injuries (Compensation) Act* as continued in force by section 28(1) shall be debited to the Fund.

25B Imposition of levy

- (1) In this section:

enforcement order has the same meaning as in section 60A of the *Justices Act*.

infringement notice has the same meaning as in section 60A of the *Justices Act*.

notice of enforcement order has the same meaning as in section 60A of the *Justices Act*.

offence means any offence against a law in force in the Territory.

- (2) A levy is imposed for the purpose of providing a source of revenue for the Fund.

- (3) Subject to such exceptions as may be prescribed, a levy is imposed on a person:
- (a) convicted of an offence after the commencement of the *Crimes Compensation Amendment Act 1989* other than where the person is imprisoned for that offence;
 - (b) who discharges or expiates an offence, or who makes a payment of a specified sum in lieu of a penalty which may otherwise be imposed for an offence, in pursuance of an infringement notice issued after the commencement of the *Crimes Compensation Amendment Act 1989*; or
 - (c) against whom an enforcement order is made after the commencement of the *Crimes Compensation Amendment Act 1989*.
- (4) Subject to subsections (5) and (6), the amount of the levy is, where the person is convicted of:
- (a) an offence following the presentation of an indictment – \$30; or
 - (b) any other offence – \$20.
- (5) Where, but for this subsection, the amount of the levy payable by a person found guilty of an offence by the Court, within the meaning of the *Juvenile Justice Act*, would exceed \$10, the amount of the levy is \$10.
- (6) Notwithstanding subsection (4), the levy imposed on a person referred to in subsection (3)(b) or (c) is \$5.
- (7) Where a levy is payable under this section by a person convicted of an offence:
- (a) the amount of the levy shall be shown in:
 - (i) any formal record of the conviction and sentence; and
 - (ii) any notice of the conviction or sentence given to the defendant; and
 - (b) the levy shall, for all purposes, be deemed to be a fine or sum of money or to form part of the fine or sum of money adjudged to be paid by the court in respect of the offence to which the levy relates.
- (8) A court shall not reduce the levy payable under this section or exonerate a person found guilty of an offence from liability to pay it.

- (9) For the purposes of this section, an infringement notice, enforcement order and a notice of enforcement order shall specify the amount of the levy.
- (10) Notwithstanding any other law in force in the Territory, a person referred to in subsection (3)(b) or (c) is not immune from prosecution in respect of an offence referred to in that subsection unless the sum specified in the infringement notice or the notice of enforcement order, as the case may be, and the levy imposed by this section is paid.
- (11) Where any money is paid by a person in respect of a penalty imposed for an offence or an alleged offence committed by that person, that money shall be firstly appropriated for the purpose of meeting the person's liability for the levy imposed by this section.

Part V Miscellaneous

26 Appropriation

A payment under section 25A(3) shall be made from the public moneys of the Territory and the Allocation for that purpose is hereby established or increased to the extent necessary.

27 Regulations

The Administrator may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Part VI Savings, &c., transitional

28 Savings, &c.

- (1) Notwithstanding the repeal effected by section 3, the *Criminal Injuries (Compensation) Act* as in force immediately before the commencement of this Act continues to have effect to and in relation to an injury occurring before the commencement of this Act.
- (2) Where, prior to the commencement of this Act, a payment in respect of costs was purported to be made under the *Criminal Injuries (Compensation) Act* as then in force, that payment is deemed to be a valid payment under that Act.

(3) Where a person:

- (a) at any time prior to the commencement of this Act, applied to the Minister under section 5 of the *Criminal Injuries (Compensation) Act* as then in force and the Minister made a payment under section 6 of that Act to the person but the amount of the payment did not include an amount by way of costs; or
- (b) receives a payment under section 6 of the *Criminal Injuries (Compensation) Act* by virtue of subsection (1),

that person may be paid such an amount by way of costs as the Minister thinks fit.

ENDNOTES

1**KEY**

Key to abbreviations

amd = amended
 app = appendix
 bl = by-law
 ch = Chapter
 cl = clause
 div = Division
 exp = expires/expired
 f = forms
 Gaz = Gazette
 hdg = heading
 ins = inserted
 lt = long title
 nc = not commenced

od = order
 om = omitted
 pt = Part
 r = regulation/rule
 rem = remainder
 renum = renumbered
 rep = repealed
 s = section
 sch = Schedule
 sdiv = Subdivision
 SL = Subordinate Legislation
 sub = substituted

2**LIST OF LEGISLATION*****Crimes Compensation Act 1982 (Act No. 46, 1982)***

Assent date 29 June 1982
 Commenced 28 January 1983 (*Gaz S5*, 28 January 1983)

Law Officers Amendment Act (No. 2) 1986 (Act No. 48, 1986)

Assent date 10 December 1986
 Commenced 19 December 1986 (*Gaz S87*, 17 December 1986)

Local Court (Consequential Amendments) Act 1989 (Act No. 14, 1989)

Assent date 5 June 1989
 Commenced 1 January 1991 (s 2, s 2 *Local Court Act 1989* (Act No. 31, 1989) and *Gaz G49*, 12 December 1990, p 2)

Crimes Compensation Amendment Act 1989 (Act No. 83, 1989)

Assent date 22 December 1989
 Commenced 1 August 1990 (*Gaz S47*, 1 August 1990)

De Facto Relationships (Miscellaneous Amendments) Act 1991 (Act No. 82, 1991)

Assent date 24 December 1991
 Commenced 1 January 1992 (s 2)

Financial Management (Consequential Amendments) Act 1995 (Act No. 5, 1995)

Assent date 21 March 1995
 Commenced 1 April 1995 (s 2, s 2 *Financial Management Act 1995* (Act No. 4, 1995) and *Gaz S13*, 31 March 1995)

Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)

Assent date 19 April 1996
 Commenced 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz S15*, 13 June 1996)

3 LIST OF AMENDMENTS

lt	amd No. 83, 1989, s 4
s 1	amd No. 83, 1989, s 5
s 4	amd No. 14, 1989, s 7; No. 83, 1989, s 7; No. 82, 1991, s 11
pt II hdg	amd No. 83, 1989, s 8
s 5	amd No. 83, 1989, s 9; No. 82, 1991, s 11
s 6	amd No. 48, 1986, s 9
s 8	amd No. 83, 1989, s 10; No. 82, 1991, s 11
s 9	amd No. 83, 1989, s 11
s 10	sub No. 83, 1989, s 12
s 10A	ins No. 83, 1989, s 12
ss 12 – 13	sub No. 83, 1989, s 13
s 13A	ins No. 83, 1989, s 13
s 14	sub No. 83, 1989, s 14
s 15	amd No. 83, 1989, s 15
s 16	amd No. 48, 1986, s 9; No. 83, 1989, s 16
s 20	sub No. 83, 1989, s 17
s 21	amd No. 83, 1989, s 18
s 22	amd No. 83, 1989, s 19
s 23	amd No. 83, 1989, s 20
s 24	amd No. 83, 1989, s 21
s 25	amd No. 83, 1989, s 22
pt IVA hdg	ins No. 83, 1989, s 23
s 25A	ins No. 83, 1989, s 23
	amd No. 5, 1995, s 19
s 25B	ins No. 83, 1989, s 23
	amd No. 17, 1996, s 6
s 26	amd No. 83, 1989, s 24
	sub No. 5, 1995, s 19