

APPLICATION AND INFORMATION FOR EXTENSION OF TIME APPLICATIONS

Victims of Crime Assistance Act 1976

What is an Extension of Time Application?

An Extension of Time Application is completed on a Statutory Declaration, and is required when an application for Victims of Crime Assistance is made outside the prescribed time limit.

The lodgement of an Extension of Time Application enables the Commissioner to determine whether 'special circumstances' exist and is a way for the Commissioner to authorise the lodgement of an application for financial assistance outside of the prescribed time limit.

What is the prescribed time limit?

If an adult at the time of the offence, an application should be lodged within three (3) years from the date of the offence.

For a child victim at the time of the offence, an application should be lodged within three (3) years of the child victim reaching the age of 18 years.

If the offence occurred prior to 21 June 1976 there is no basis for an application.

What is a special circumstance?

A 'special circumstance', when used in relation to an Extension of Time Application, is a legal term which means something unusual, uncommon or exceptional. While a reason for not lodging an application may appear special to the individual applicant, in order to satisfy the legal requirement, the special circumstance must be able to be considered unusual, uncommon or exceptional amongst all Extension of Time Applications. Therefore the following are not considered to be special circumstances:

- Not knowing of your right to apply for Victims of Crime Assistance
- Not knowing about the prescribed time limit for lodgement of applications

What information should be included in the Extension of Time Application?

An applicant should include in the application all relevant information about why the application for financial assistance has not been lodged within the three year time period.

What if more space is required than is available on the Application?

If additional space is required, additional pages may be attached to the application.

Who can help with preparing the Extension of Time Application?

Assistance with the completion of the application can be obtained from:

- **Victims of Crime Service**
This is a free state-wide service provided by Lifeline Tasmania under contract to Victims Support Services (Department of Justice). Offices are located in Hobart, Launceston, Burnie and Devonport.

Victims of Crime Service can be contacted by telephone on: 1300 300 238

- **Victims Assistance Unit.**
Please feel free to contact this office with any enquiries about an application.

We can be contacted by telephone on: (03) 6233 5002
or 1300 663 773

Who makes the decision on whether the Extension of Time Application is approved and how is the decision made?

Designated Commissioners make the decision as to whether 'special circumstances' exist.

The Commissioner can make the decision about an Extension of Time Application in one of two ways:

- An applicant can choose to have the application determined based solely on the information provided in the application and any supporting documents. This is called making a 'decision on papers'; or
- An applicant may elect to lodge an application together with any supporting documentation and attend a hearing with the Commissioner. With this option the Commissioner will make the decision based on the application and any supporting documents. They will also be able to discuss the application with the applicant.

Please state on the application whether the applicant would like the decision to be made on papers or attend a hearing with the Commissioner.

How will the applicant know if the Extension of Time Application has been approved?

Once the Commissioner has made a decision on the Extension of Time Application, the Victim's Assistance Unit will forward a copy of the Commissioner's decision to the applicant together with advice on what happens next.

APPLICATION FOR EXTENSION OF TIME

Section 1 – Your Details

Full Name: _____

Date of Birth: _____

Address: _____

Daytime Contact Number: _____

If you are not available, would you like us to leave a message? Yes No

Section 2 – Hearing Preferences

Applicants now have the choice of how they would like their Extension of Time Applications determined. An applicant can elect to have their application determined 'on papers' or they may choose to attend a hearing with a Commissioner.

Does the applicant wish to attend a hearing or have the application decided on the information provided?

- I don't want to attend a hearing and want my application decided on my written application.

OR

- I wish to attend a hearing.

Section 3 – Important Points to Remember

What is not considered to be a 'special circumstance'?

- Not knowing of your right to apply for Victims of Crime Assistance
- Not knowing about the prescribed time limit for lodgement of applications.

What may be considered to be a 'special circumstance'?

Any circumstance that reasonably prevents the applicant from lodging an application within the prescribed time limit. This may include physical and / or psychological health issues. The applicant may wish to provide documents to support the application.

