

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 required when an application for Victims of Crime Assistance is made outside the prescribed time limit of 3 years (This time limit does not apply to an application that involves an allegation of child sexual abuse).

The Commissioner will determine whether “special circumstances” exist for not making an application within 3 years and if satisfied, will grant an extension.

What is the prescribed time limit?

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

For a child victim at the time of the offence, an application must be lodged before they turn 21 years old

If the offence occurred prior to 4 August 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 limit.

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 the Victims Support Services (Department of Justice). Offices are located in Hobart, Launceston, and Burnie.
- **Victims Support Services.**
Please feel free to contact this office with any enquiries about an application.

We can be contacted by telephone on: Statewide 1300 663 773
Or Hobart Office (03) 616 57524

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

Criminal Injury 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 attend a hearing with the Commissioner. The Commissioner will 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.

Return Application to:
Victims Support Services
GPO BOX 825
HOBART TAS 7001

APPLICATION FOR EXTENSION OF TIME

Section 1 – Your Details and Crime Details

Full Name: _____

Date of Birth: _____

Address: _____

Daytime Contact Number: _____

Email Address: _____

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

Date of Offence: _____

Location of Offence: _____

Name of Offender/s _____

Offence Type _____

Reported to Police ☐ Yes ☐ No

Court outcome if known:

Section 2 – Hearing Preferences

Applicants 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.

OATHS ACT 2001
STATUTORY DECLARATION

I,

.....

(name, address and occupation)

do solemnly and sincerely declare that

This image shows a full page of white paper with horizontal dotted lines, typical of primary-ruled notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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I make this solemn declaration under the *Oaths Act 2001*.

Declared at
(place)

on
(date)

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Signature

Before me,

.....
(Justice, commissioner for declarations or authorised person)