

The Victims of Crime Regulations, 1993

Repealed

by chapter V-6.011 Reg 1 (effective February 21, 1997).

Formerly

Chapter V-6.01 Reg 2 (effective June 1, 1993)
as amended by an Errata Notice dated September 3, 1993.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER V-6.01 REG 2

The Victims of Crime Act

Title

1 These regulations may be cited as *The Victims of Crime Regulations, 1993*.

Interpretation

2(1) In these regulations, “**Act**” means *The Victims of Crime Act*.

(2) For the purposes of clause 2(e) of the Act, “**criminal laws**” includes an Act, or a regulation made pursuant to an Act, that establishes an offence.

(3) For the purposes of clause 11.1(1)(f) of the Act, “**injury**” means physical or psychological harm and includes pregnancy.

11 Jne 93 cV-6.01 Reg 2 s2.

Surcharge

3 The surcharge imposed pursuant to section 9 of the Act is to be calculated as follows:

(a) where the fine imposed is less than or equal to \$100, the surcharge is \$10;

(b) where the fine imposed is greater than \$100 but less than or equal to \$200, the surcharge is \$20;

(c) where the fine imposed is greater than \$200 but less than or equal to \$500, the surcharge is \$30;

(d) where the fine imposed is greater than \$500, the surcharge is 10% of the fine rounded off to the nearest dollar amount;

(e) where no fine is imposed, the surcharge is \$20.

11 Jne 93 cV-6.01 Reg 2 s3.

Exemption

4 No surcharge is to be imposed with respect to any parking offence.

11 Jne 93 cV-6.01 Reg 2 s4.

Programs

5 Moneys in the fund may be used for the following:

(a) surcharge administration;

(b) restitution;

(c) victim services co-ordination;

(d) victim-offender mediation;

- (e) payments, including periodic payments, ordered by The Crimes Compensation Board pursuant to *The Criminal Injuries Compensation Act*, with respect to applications received by the board before April 1, 1992;
- (f) payment of compensation pursuant to Part III of the Act;
- (g) crisis intervention services for victims of crime;
- (h) training for justice system personnel with respect to victims issues;
- (i) facilities for victims and witnesses;
- (j) public education with respect to victims issues;
- (k) community consultation with respect to victims issues;
- (l) conferences with respect to victims issues;
- (m) research and evaluation with respect to victims issues;
- (n) administration of programs provided by the minister to victims.

11 Jne 93 cV-6.01 Reg 2 s5.

Offences

6(1) For the purposes of clause 11.11(1)(a) of the Act, the offences for which an application for compensation may be made are the offences set out in Table 1 of Part 1 of the Appendix.

(2) For the purposes of subsection 11.11(3) of the Act, the offences for which the time period begins to run as mentioned in that subsection are the offences set out in Table 2 of Part 1 of the Appendix.

11 Jne 93 cV-6.01 Reg 2 s6.

Applications

7(1) Subject to subsections (2) and (3), applications pursuant to sections 11.11 and 11.2 of the Act are to be made in writing in Form A of Part 2 of the Appendix.

(2) The minister may accept a written application in a form other than Form A.

(3) Where, in the opinion of the minister, it is not reasonably practicable to obtain a written application, the minister may accept an application made in any manner that the minister may specify.

11 Jne 93 cV-6.01 Reg 2 s7.

Compensation

8(1) The maximum amount of compensation that may be granted pursuant to section 11.21 of the Act with respect to any one application is \$25,000.

(2) The minister may grant compensation with respect to the following classes of monetary loss that result from a victim's injury or death:

- (a) medical, dental, optometric, chiropractic and other services provided by health care professionals;

- (b) funeral costs;
 - (c) loss of or damage to personal property;
 - (d) loss of earnings;
 - (e) other expenses that, in the opinion of the minister, were reasonably incurred by the applicant.
- (3) Where, in the opinion of the minister, exceptional circumstances exist, the minister may grant compensation to assist in the provision of counselling and treatment, to a maximum of \$1,000 with respect to any one victim or dependant.

11 Jne 93 cV-6.01 Reg 2 s8.

R.R.S. c.V-6.01 Reg 1 repealed

9 *The Victims of Crime Regulations* are repealed.

Appendix

PART 1

Tables

TABLE 1

[*Subsection 6(1)*]

<i>Section of the Criminal Code</i>	<i>Offence</i>
65	Taking part in a riot
76	Hijacking an aircraft
77	Endangering safety of aircraft
78	Taking on board civilian aircraft offensive weapons or explosives
80	Failure to take reasonable care with respect to explosives (where death or bodily harm results)
81	Causing injury with intent by explosive substance
86	Pointing a firearm/careless use, etc. of firearm
151	Sexual interference
152	Invitation to sexual touching
153	Sexual exploitation
155	Incest
160(2) and (3)	Compelling or inciting bestiality
170	Parent or guardian procuring sexual activity
173	Exposure
180	Common nuisance causing harm
215	Failure to provide necessities for preservation of life
218	Abandoning child
220	Causing death by criminal negligence
221	Causing bodily harm by criminal negligence
235	Murder
236	Manslaughter
239	Attempted murder

244	Causing bodily harm with intent
245	Administering noxious thing (poison)
246	Overcoming resistance to commission of an offence
247	Setting traps likely to cause death or harm
248	Interfering with transportation facilities
249	Dangerous operation of vessel, motor vehicle or aircraft
255(2) and (3)	Impaired driving causing bodily harm or death
262	Impeding an attempt to save life
266	Assault
267	Assault with a weapon or causing bodily harm
268	Aggravated assault
269	Unlawfully causing bodily harm
269.1	Torture
270	Assaulting a peace officer
271	Sexual assault
272	Sexual assault with a weapon, threats to a third party or causing bodily harm
273	Aggravated sexual assault
279	Kidnapping
279.1	Hostage taking
280	Abduction of a person under 16
281	Abduction of a person under 14
343, 344	Robbery
423	Intimidation by violence
430(2)	Mischief causing actual danger to life
433(b)	Arson causing bodily harm
436	Causing fire resulting in loss of life
437	False fire alarm

11 Jne 93 cV-6.01 Reg 2.

TABLE 2
[Subsection 6(2)]

<i>Section of the Criminal Code</i>	<i>Offence</i>
86	Pointing a firearm/careless use, etc. of firearm
151	Sexual interference
152	Invitation to sexual touching
153	Sexual exploitation
155	Incest
160(2) and (3)	Compelling or inciting bestiality
170	Parent or guardian procuring sexual activity
218	Abandoning child
221	Causing bodily harm by criminal negligence
239	Attempted murder
244	Causing bodily harm with intent
245	Administering noxious thing (poison)

266	Assault
267	Assault with a weapon or causing bodily harm
268	Aggravated assault
269	Unlawfully causing bodily harm
271	Sexual assault
272	Sexual assault with a weapon, threats to a third party or causing bodily harm
273	Aggravated sexual assault
279	Kidnapping
423	Intimidation by violence

PART 2
Form A
[Subsection 7(1)]

OFFICE USE ONLY

Date Application Received
Claim Number

APPLICANT/VICTIM INFORMATION			
APPLICANT INFORMATION			
Name: _____			
Address: _____			
City: _____		Postal Code: _____	
Telephone Number: Home _____		Work _____	
I am the victim <input type="checkbox"/>		My relationship to the victim: _____	
VICTIM INFORMATION			
Name: _____			
Date of Birth: _____			
Social Insurance Number: _____		Health Registration Number: _____	
If claim involves dependants, state:			
Name of Dependants	Date of Birth	Relationship to Applicant	Relationship to Victim

DETAILS OF THE CRIME
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> <div style="border-bottom: 1px solid black;"></div>

EXPENSES		
Please list the actual expenses claimed as a result of the victim's injury (attach receipts).		
EXPENSES	AMOUNT	OFFICE USE
Ambulance		
Medical Bills		
Dental Treatment		
Eye Glasses		
Damaged Clothing		
Child Care		
Travel Costs (specify)		
Other (specify)		
Please list the actual expenses claimed as a result of the victim's death (attach receipts).		
Funeral Home		
Plot/Monument		
Church Services		

LOSS OF EARNINGS	
Name of employer:	_____
Address:	_____
Time Absent from Work:	_____
Net Monthly Earnings:	_____ Estimated Income Lost: _____

BENEFITS RECEIVED FROM OTHER SOURCES AS A RESULT OF THE VICTIM'S INJURY OR DEATH		
BENEFIT	NAME AND ADDRESS	AMOUNT RECEIVED
Insurance		
Disability Plan		
Workers' Compensation Plan		
Unemployment Insurance		
Social Services		
Canada Pension Plan		
Indian Affairs		
Saskatchewan Government Insurance		
Civil Suit		
Estate of the Deceased		
Other		
Have you started a civil action or do you intend to start a civil action in this regard? <input type="checkbox"/> YES <input type="checkbox"/> NO		
Date of Application: _____ Signature of the Applicant: _____		

Please complete this **Authorization For Release of Information** to allow us to process your claim.

AUTHORIZATION FOR RELEASE OF INFORMATION	
I HEREBY AUTHORIZE:	
<ol style="list-style-type: none"> 1. The doctor, dentist, optometrist, chiropractor or other health care professional who treated the victim's injuries (emotional and/or physical) to give the minister, on request, medical or other reports. 2. The Police or other law enforcement authorities to give the minister, on request, a copy of police reports, statements or other information relevant to this application. 3. The Workers' Compensation Board or other authority from which the victim or dependant received payments from provincial or federal funds to give the minister, on request, information relevant to this application. 4. The victim's employer(s), union or similar authority to give the minister, on request, information as to the earnings of or payments to the victim or dependant. 5. Any accident, disability, sickness or life insurance/assurance company or private pension scheme from which payments have been received or are to be received to give the minister, on request, information relevant to this application. 6. The Department of Social Services or the Department of Indian Affairs or any other authority from which payments were received to give the minister, on request, information relevant to this application. 7. The Unemployment Insurance Commission or <i>Canada Pension Plan</i> to give the minister, on request, information as to benefits received or to be received by the victim or dependant with respect to this application. 8. Revenue Canada to give the minister, on request, information as to the victim's employment income. 	
<p>I understand that the minister may notify the authorities mentioned above that I have submitted an application under the provisions of <i>The Victims of Crime Act</i>.</p>	
DATE: _____	_____
	SIGNATURE OF VICTIM OR DEPENDANT
<p>If this application is made on behalf of a victim or dependant, please complete the following:</p>	
NAME OF APPLICANT: _____	
ADDRESS: _____	
RELATIONSHIP TO THE VICTIM OR DEPENDANT: _____	

