

Unvalidated References:
Criminal Law (Compensation) Act 1991

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. 5 of 1992.

Criminal Law (Compensation) Regulation 1992

ARRANGEMENT OF SECTIONS.

1. Means Assessment Report.
2. Advice concerning request for Means Assessment Report.
3. Compensation order.
4. Application for suspension or variation of Compensation Order.
5. Order discharging or varying a Compensation Order.

SCHEDULE 1

Criminal Law (Compensation) Regulation 1992

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *Criminal Law (Compensation) Act 1991*.

Dated 200 .

1. MEANS ASSESSMENT REPORT.

A request for a means assessment report under Section 4(1)(a) of the Act shall be in Form 1.

2. ADVICE CONCERNING REQUEST FOR MEANS ASSESSMENT REPORT.

An advice to the court under Section 4(2)(b) of the Act that it is not practicable to furnish a report shall be in Form 2.

3. COMPENSATION ORDER.

A compensation order under Section 5(1)(a) at the Act shall be in Form 3.

4. APPLICATION FOR SUSPENSION OR VARIATION OF COMPENSATION ORDER.

An application under Section 8 of the Act by the Chief Probation Officer for suspension or variation of a compensation order shall be in Form 4.

5. ORDER DISCHARGING OR VARYING A COMPENSATION ORDER.

An order under Section 8 of the Act discharging or varying a compensation order shall be in Form 5.

SCHEDULE 1

Sch. 1

Criminal Law (Compensation) Regulation 1992

PAPUA NEW GUINEA.

Criminal Law (Compensation) Act 1991.

Form 1 – Request for Means Assessment Report.

Act, Sec. 4. Form 1.Reg., Sec. 1.

TO: The Chief Probation Officer:

The National/District Court sitting at ... requests a means assessment report in respect of ... (*name of offender*) of ... (*address of offender*) who was convicted of ... (*offence*) on ... day of ... 20... and for this purpose ORDERS ... (*name of offender*) to report to the Chief Probation Officer at ... (*place of reporting*) on the ... day of ... 20...

REPORT DUE IN COURT ON THE ... DAY OF ... 20... at ... am/pm.

DATED this ... day of ... 20...

BY THE COURT

Sch. 1

Criminal Law (Compensation) Regulation 1992

PAPUA NEW GUINEA.

Criminal Law (Compensation) Act 1991.

Form 2 – Notification concerning request for Means Assessment Report.

Act, Sec. 4(1)(b). Form 2.Reg., Sec. 2. Court No.:

TO: The National/District Court sitting at ...

In accordance with Section 4(1)(b) of the *Criminal Law (Compensation) Act 1991* I advise the Court that it is not practicable to furnish a means assessment report in respect of ... (*name of offender*) of ... convicted of ... requested on the ... day of ... 20... as the offender failed to cooperate during the preparation of the report.

DATED this ... day of ... 20...

CHIEF PROBATION OFFICER

Sch. 1

Criminal Law (Compensation) Regulation 1992

PAPUA NEW GUINEA.

Criminal Law (Compensation) Act 1991.

Form 3 – Compensation Order.

Act, Sec. 5. Form 3.Reg., Sec. 3.

Court No.:

TO: ... (*name of offender*) of ... (*address*) convicted of ... (*offence*).

The National/District Court sitting at ... ORDERS that you pay compensation in accordance with the *Criminal Law (Compensation) Act 1991* as follows:

1. Nature of compensation: Money/Goods (*delete as applicable*)
2. Amount of compensation: K ... or Goods as follows: (*if in goods list the goods ordered to be given as compensation*)

...

3. Default Penalty (Schedule 1) ... months
4. The compensation is to be paid to: (*list by name the person or persons to receive compensation*)

...

5. The compensation shall be paid on or before the ... day of ... 20...

CONDITION

You are ORDERED to report to the Chief Probation Officer at ... on the ... day of ... 20... and as directed for the purpose of carrying out this ORDER.

DATED this ... day of ... 20...

BY THE COURT

PAPUA NEW GUINEA.

Criminal Law (Compensation) Act 1991.

***Form 4 – Application by chief probation officer for
suspension/variation of Compensation Order.***

Act, Sec. 8. Form 4.Reg., Sec. 4. Court No.:

The Chief Probation Officer applies to the District/National Court sitting at ... for suspension/variation of the terms of a compensation made on the ... day of ... 20... against ... (*name of offender*) of ... on the ground that there has been a change in the financial circumstances of the offender.

The change in financial circumstances is as follows:

...

DATED this ... day of ... 20...

Chief Probation Officer

This application will be heard on the ... day of ... 20... at ... o'clock in the District/National Court sitting at ...

By the Court

Sch. 1

Criminal Law (Compensation) Regulation 1992

PAPUA NEW GUINEA.

Criminal Law (Compensation) Act 1991.

***Form 5 – Order discharging/varying the terms of a Compensation
Order.***

Act, Sec. 8. Form 5.Reg., Sec. 5. Court No.:

UPON application by the Chief Probation Officer on the ... day of ... 20... the District/National Court sitting at ... HEREBY discharges/varies the terms of a compensation order dated the ... day of ... 20... made against ... (*name of offender*) of ... (*address of offender*) and convicted of ... (*offence*).

The Court varies the terms of the compensation order as follows:

...

DATED this ... day of ... 20...

BY THE COURT

Criminal Law (Compensation) Regulation 1992