

16A/92

ADMINISTRATIVE APPEALS TRIBUNAL OF VICTORIA

ARNOLD v CRIMES COMPENSATION TRIBUNAL

Judge Smith P

4 December 1991 — 11 VAR 299

**CRIMES COMPENSATION – APPLICATION FOR EXTENSION OF TIME – CRITERIA TO BE CONSIDERED:
CRIMINAL INJURIES COMPENSATION ACT 1983, S20(3).**

Judge Smith sitting as President of the Administrative Appeals Tribunal of Victoria dealt with an application to review the refusal of an application for extension of time for the making of a claim for compensation. At p24 of the reasons for decision, His Honour said:

"The Tribunal's approach

I consider that the approach this Tribunal should adopt on whether or not to extend the time for making an application for compensation under s20(3) of the *Criminal Injuries Compensation Act* 1983 should be similar to that when considering an application for extension of time to make an application for review to this Tribunal pursuant to the provisions of s31(2) of the *Administrative Appeals Tribunals Act* 1984. This Tribunal recently considered such an application in *Tarson Pty Ltd v Travel Agents Licensing Authority* (unreported 8 October 1991). In that case I referred to what I considered to be the guiding principles in the exercise of the Tribunal's discretion as to whether or not an extension of time should be granted. I applied the principles identified by Wilcox J in *Hunter Valley [25] Developments Pty Ltd and Others v Minister for Home Affairs and Environment* (1984) 58 ALR 305. I will not repeat what I said in that case nor will I set out in detail the principles discussed in the *Hunter Valley Development* case. It is sufficient for present purposes to state that, what, I think, assumes critical importance is the question as to whether or not there has been an acceptable explanation for the delay."
