

1985 BILL 216

Third Session, 20th Legislature, 34 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 216

VICTIM OF CRIME LEVY ACT

HON. MR. R. SPEAKER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 216
Hon. Mr. R. Speaker

BILL 216

1985

VICTIM OF CRIME LEVY ACT

(Assented to , 1985)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Levy

1 Where a person is convicted of an offence under an enactment of the Province or of Canada, the judge shall also order the payment of a levy of:

- (a) 25% of any fine ordered to be paid not to exceed \$1250, or
- (b) \$25

whichever is the greater amount.

Exceptions

2 No levy shall be charged where

- (a) the sentence is a conditional or absolute discharge, or
- (b) the accused has entered a written plea of "guilty" in a case where a court appearance may be waived and has paid the prescribed fine.

Enforcement

3(1) A levy that is not paid may be recovered pursuant to section 21 of the *Summary Convictions Act*, or in accordance with subsection (2).

(2) The Provincial Treasurer, upon receipt of a certificate from the Attorney General that a person has failed to pay a levy charged under this Act and it is 90 days or more overdue, may withhold from any payment due from the Province to the person, the amount of the unpaid levy.

(3) A person who has not paid a levy may not be sentenced to a term of imprisonment in respect of his failure to pay.

Application

4 Levies paid pursuant to this Act or amounts withheld pursuant to section 3(2) shall be paid to the Crimes Compensation Board, and shall be applied to the purposes of the *Criminal Injuries Compensation Act* and shall not form a part of the General Revenue Fund.

Coming into force

5 This Act comes into force on Proclamation.