

APPLICATION FOR INFRINGEMENT INTERNAL REVIEW

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au



the place
to live

YOUR DETAILS

Infringement Number

Registration Number (if applicable)

First Name

Last Name

Company Name (if applicable)

Postal Address

Suburb

Postcode

You are Person named on Infringement Notice or Registered owner

Other person with consent (see reverse side)

Authorised Company Representative

REASONS FOR INTERNAL REVIEW

The *Infringements Act 2006* allows for only one internal review only. If you have already submitted an application and been unsuccessful, re-submitting a second application will result in the matter being referred directly to the Magistrates Court.

Please tick under what ground you are requesting an internal review, or whether you are requesting an extension of time to pay

Contrary to Law Mistaken Identity Exceptional Circumstances Special Circumstances Extension of Time to Pay

Please outline the reasons why you believe consideration should be given.

Please attach all relevant evidence, or additional pages if required, to this form.

DECLARATION

I acknowledge that it is an offence to provide false or misleading information, maximum penalty of 10 penalty units.

Signature

Name

Date

The signing officer must state his/her position of authority in the case of a corporate or unincorporated body of persons, (e.g. Company or Partnership).

Position

CONSENT

If you are submitting an application for internal review on behalf of the person named on the Infringement Notice you must obtain written consent. Please ensure the following section is filled and signed by the person named on the Infringement Notice.

Name

Signature

Date

GUIDELINES FOR INTERNAL REVIEW AND THE INFRINGEMENT PROCESS

Under the *Infringements Act 2006*, you or a person acting with consent on your behalf, may apply to Council for an internal review of the decision to serve the infringement Notice.

Please note that you must submit your application for internal review before the due date on the Infringement notice to avoid further penalty costs.

To complete this application you must provide reasons which indicate that at least one of the four grounds below apply to your matter. Please ensure that you attach all relevant evidence to support your claims.

THE DECISION MAKING PROCESS

All internal reviews of Darebin infringements are considered by the Infringement Review Panel. The Infringement Review Panel is directed by the *Infringements Act 2006* ('the Act').

The Act outlines four general grounds for appeal:

1. *Contrary to Law* - you believe that you did not commit an offence
2. *Mistaken Identity* - the fine has been issued to the incorrect person or vehicle
3. *Exceptional Circumstances* - 'verifiable and unforeseen circumstances outside of your control' that could excuse your conduct
4. *Special Circumstances* - circumstances or conditions that have either led to you being unable to understand that your conduct constituted an offence or unable to control the conduct that led to the offence

For more information about grounds of appeal under the Act, or about the internal review process visit www.darebin.vic.gov.au/fines.

In accordance with the Act internal reviews will be responded to in writing within 90 days. In the interim, the infringement will be placed on hold and no further penalties or costs will be added.

APPLY TO MAGISTRATES COURT

At any time during the infringement process you can elect to have the matter heard at the Magistrates Court by an independent arbitrator. Please be aware that in doing so Darebin will incur costs which will be sought should your matter be unsuccessful. For more information on electing to go to Court please see the reverse side of your Infringement Notice or visit our website at www.darebin.vic.gov.au/fines

ACTIONING YOUR INFRINGEMENT

If your infringement has progressed to a certain stage in the infringement process, the option of submitting an internal review with Darebin may no longer be available to you.

INFRINGEMENT NOTICE

On receipt of an Infringement Notice you must:

- pay the amount owing
- lodge an application for internal review
- lodge a request for an extension of time to pay
- lodge a nomination statement, nominating the person in control of the vehicle at the time of the offence
- Request a Court hearing

If the infringement is not actioned before the due date on the infringement a Penalty Reminder Notice will be issued with additional costs added.

PENALTY REMINDER NOTICE

When no action has been taken before the due date of an infringement a Penalty Reminder Notice will be issued with additional costs added.

On receipt of a Penalty Reminder Notice you must:

- pay the amount owing
- lodge an application for internal review
- lodge a request for an extension of time to pay
- lodge a nomination statement, nominating the person in control of the vehicle at the time of the offence
- Request a Court hearing

If you fail to action a Penalty Reminder Notice before the due date your infringement will be referred to the Court with additional costs added. You will no longer have the above options available and will be required to deal directly with the Court.

ENFORCEMENT ORDER

If you have received a letter from Civic Compliance then the infringement has progressed to the Court.

Once a matter has been lodged with the Court, the City of Darebin can no longer accept any correspondence relating to your infringement. For additional information visit www.fines.vic.gov.au or phone the Court on 9200 8222.

PRIVACY

The collection and handling of personal information is in accordance with Council's Privacy Policy which is displayed on Council's website and available for inspection at, or collection from, Council's Customer Service Centres.

RETURN APPLICATION

Please return your completed application to a Customer Service Centre listed below:

- 23 Edwardes Street, Reservoir
- 274 Gower Street, Preston
- 32-38 Separation Street, Northcote

E: mailbox@darebin.vic.gov.au



National Relay Service
TTY dial 133 677 or Speak & Listen
1300 555 727 or to relayservice.gov.au
then enter 03 8470 8888



Speak Your Language
8470 8470