

## Application for internal review of an infringement

Before you begin it is important to note that:

- Infringements will not be withdrawn because of financial hardship. If you are experiencing financial hardship you can apply for a payment plan or an extension of time.
- Only one internal review may be submitted per infringement notice, unless applying when an internal review has been granted on the grounds of 'Person Unaware of Fine'.

### Who is applying for the internal review?

- Person named on the infringement notice.       Other person with consent (You must complete the 'Consent for Internal Review' on reverse side of this page)       Authorised company representative

### Your personal details

Surname/Company Name: \_\_\_\_\_

First name/Company ACN: \_\_\_\_\_

Address of person/Company: \_\_\_\_\_

Email: \_\_\_\_\_

### Infringement details

Infringement notice number \_\_\_\_\_

What was the infringement for? \_\_\_\_\_

Is this application being made on or before the due date?  Yes  No

Note: applications made after the due date may not be considered except for 'Person Unaware of fine' (see description 5) or 'Penalty Reminder Notice - Fee Waiver Request' (see description 6)

### Grounds for application

Important: please read the descriptions over page before making your application.

- Exceptional circumstances       Contrary to law       Special circumstances       Mistaken identity  
 Person unaware of fine       Penalty Reminder Notice - Fee Waiver Request

I have attached evidence in support of my application  (Please tick if additional evidence supplied)

### Declaration details

I understand that this is the only Internal Review for this infringement that I am able to submit pursuant to s.22 (2) of the Infringements Act 2006.

I declare that the information that I have supplied in this form, and any attachments to this form, are true and correct to the best of my knowledge.

I understand that by making false or misleading statement in support of this claim, I may be prosecuted.

Signature of applicant \_\_\_\_\_ Date \_\_\_\_\_

### Applicants

If you do not provide sufficient information, Council may request further information. If you do not provide this further information within 21 days of the date of request, Council may determine the application without further information.

## Description of relevant grounds for internal review appeal

### 1. Exceptional Circumstances

Please attach supporting evidence of the exceptional circumstances (where you have committed the offence due to unforeseen or unpreventable circumstances e.g. medical emergencies, vehicle breakdown).

### 2. Contrary to Law

Please provide the reasons why you consider the decision to issue you with an infringement was unlawful (e.g. the Infringement was not valid).

### 3. Special Circumstances

Special circumstances include:

- a mental or intellectual disability, disorder, disease or illness
- a serious addiction to drugs, alcohol or volatile substance
- homelessness, or
- family violence within the meaning of the Family Violence Protection Act 2008.

You must provide evidence (e.g. letter, report, statement) from one of the following parties to support you application.

- a case worker, case manager or social worker
- a general practitioner, psychiatrist or psychologist, or
- an accredited drug treatment agency.

Evidence (e.g. letter, statement or a report) from practitioner or case work should include the following information:

- the practitioner/case worker's qualification and relationship with you, including the period of engagement
- the nature, severity and duration of your condition or your circumstances:
  - a) whether you were suffering from the relevant condition or circumstances at the time the offence was committed, and
  - b) whether, in the opinion of the practitioner/case worker, it is more likely than not that your condition/ circumstances resulted in your inability to understand or control the conduct constituting the offence.

The practitioner or agency report must show that because of your condition/situation you could not understand or control constituting the offence.

### 4. Mistaken Identity

Please provide an explanation of why you rely on the ground of mistake of identity (including evidence e.g. copy of your driver's licence, in support).

### 5. Person Unaware of Fine

An application made on the ground of 'person unaware' must:

- be made within 14 days of you becoming aware of the infringement notice (You can supply evidence of the date that you became aware of the infringement notice by executing a statutory declaration)
- state the grounds on which the decision should be reviewed, and
- provide your current address for service.

### 6. Penalty Reminder Notice Fee Waiver Request

Please provide the reason(s) why you believe the Penalty Reminder Notice Fee should be waived. Note: The original penalty amount is still applicable under this request.

## Consent for internal review

You must complete this section if another person is acting on your behalf.

I (person named in the infringement) .....of (address of person named on the infringement) ..... consent to the following person applying for an internal review on my behalf for Infringement Notice Number .....

\_\_\_\_\_  
Signature of person named on the infringement

\_\_\_\_\_  
Signature of other person with consent to apply

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

