



Department of Justice and Regulation

Infringement Management and Enforcement Services

GPO Box 123
Melbourne Victoria 3001
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justice.vic.gov.au
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18 SEP 2018

Our ref: BC/18/22556

Mr John Andrews
Foi+request-4686-02b893bd@righttoknow.org.au

Dear Mr Andrews

OBLIGATION NUMBER 1806832077 and 1705391000

Thank you for your emails received 9 and 11 July 2018 and directed to the Freedom of Information (FOI) unit of the Department of Justice and Regulation. The FOI unit has asked me to respond on their behalf.

You have raised concerns regarding multiple infringements that have been issued to you. Details relating to your infringements are provided in the table below.

Obligation Number	Date and Time	Offence and Calibration details
1806832077 Amount due: \$471.90	27/02/18 12:55am	Exceed speed limit by less than 10km/h on Burnside Road, Bannockburn
1705391000 Amount due: \$499.90 Internal Review: Denied	29/01/17 1:22pm	Exceed speed limit by less than 10km/h on Coombes Road, Torquay

Please be advised that the legal validity of Infringement Notices arises from the *Infringements Act 2006*. All Infringement Notices are issued in accordance with the Infringements Amendments Regulations 2017 and the Road Safety (General) Regulations 2009.

It is important to note that speeding is an offence under laws passed by the Parliament of Victoria for which Victoria Police can issue an infringement notice as an alternative to prosecuting the offence in the Magistrates' Court under the *Road Safety Act 1986*. For further information on the validity of the above legislative instruments including the Road Safety Road Rules 2017, you may wish to consult the Victorian legislation and parliamentary website at www.legislation.vic.gov.au.

Victoria Police is an enforcement agency entitled to enforce infringement notices under these Acts. I draw your attention to section 3 of the *Infringements Act 2006*, which provides a definition of enforcement agency. Furthermore, section 12 defines the circumstances under which that enforcement agency may serve an infringement notice.

While I note your concerns regarding the decision of a police officer to issue you with the above infringements, Victoria Police has operational discretion as to whether to issue an Infringement Notice. I am advised that in this instance, a police officer observed you committing the offences and subsequently issued you with an Infringement Notice.

Obligation Number 1806832077 is currently at Notice of Final Demand stage, while Obligation Number 170539100 is at Warrant stage.

The following options are available to you for these matters:

- pay the outstanding amount in full
- apply to pay the outstanding amount in a payment arrangement
- apply to have the notice of final demand reviewed by completing an Application for Enforcement Review. You will need to send your completed application to the Review Officer, Fines Victoria, PO Box 14487, Melbourne 8001
- apply to have the costs waived by writing to the Director, Fines Victoria, PO Box 14487, Melbourne 8001 including the Obligation Number, an explanation as to why the fees should be waived and supporting evidence, or
- consider your eligibility for options introduced under the *Fines Reform Act 2014* to assist vulnerable and disadvantaged people with unpaid fines. To find out more visit the Fines website at www.fines.vic.gov.au.

You can access the Application Form for Enforcement Review from the Fines website at www.fines.vic.gov.au by selecting 'Your Options' and then 'Request a review'.

You can pay your infringements by visiting the Fines Victoria website at www.fines.vic.gov.au.

Please be aware that warrants issued by the Magistrates' Court are serious legal matters and should be resolved as quickly as possible. I advise that the Sheriff may execute an enforcement warrant by enforcing a range of sanctions, including detention and immobilisation of your vehicle, removal of vehicle number plates or you may be arrested and brought before a magistrate in open court. The magistrate will also have various sentencing options available.

To discuss these options further, please contact Fines Victoria directly on (03) 9200 8111 between the hours of 8:00am and 6:00pm, Monday to Friday excluding public holidays.

Yours sincerely



Emma Catford

Director, Fines Victoria

Executive Director, Infringement Management and Enforcement Services