

You can make an application for enforcement review online by visiting www.fines.vic.gov.au.
Alternatively you can use this form to apply for a review of the enforcement of your registered infringement fine(s).

Who can apply?

You can apply for an enforcement review if you are:

- the person named in the notice of final demand or their legal representative
- a person authorised by the company named in the notice of the final demand
- a person with the written consent from the individual named in the notice of final demand (except if applying under the grounds of special circumstances, where written consent is not required)
- a person with power of attorney for the individual named in the notice of final demand (provide a certified copy of the power of attorney)
- a person appointed administrator or guardian for the individual named in the notice of final demand (provide a copy of the order made by VCAT).

What are the grounds?

You can only make an application for enforcement review under the following grounds. You may select multiple grounds.

Person unaware

If you did not receive the fine(s) in person and have only just found out about them. We must receive this application within 14 days of the date that you became aware.

Exceptional circumstances

If the offence(s) occurred due to unforeseen or unpreventable circumstances (e.g. medical emergency).

Mistaken identity

If the fine(s) should not have been issued against you (e.g. someone else is using your personal details).

Contrary to law

If the issuing of the fine(s) was unlawful or not valid.

Special circumstances

If you committed the offence(s) and can demonstrate that special circumstances existed at that time. Please see the fact sheet on the back of this page. A company cannot apply under special circumstances.

What evidence do I need ?

You should attach any supporting documentation you are relying on in this application. If supporting documents are not provided, your application may not be successful.

What happens next?

Grounds of person unaware

If your application is successful, the enforcement of the infringement will be cancelled, with all additional costs removed and the infringement will be referred back to the enforcement agency. You will then have the opportunity to finalise the infringement with the enforcement agency.

All other grounds

If your application is successful, the enforcement agency is notified and has 90 days to withdraw the infringement and decide whether to:

- take no further action
- issue you with an official warning
- or
- serve you with a charge and summons to go to the Magistrates' Court.

If your application is not successful, enforcement action will continue.

Important Notice

You cannot apply for an enforcement review if:

- the offence is a drink/drug driving offence
- the offence is a speeding offence for driving 25km/hr or more over the speed limit or in excess of 130km/hr if the speed limit is 110km/hr
- the fine was imposed by a judge or magistrate.
- an attachment of earnings or attachment of debt direction has been made
- a seven day notice has been served and the seven day period has expired
- enforcement warrants issued against you have been executed
- the fine(s) have not been registered with Fines Victoria.

Submitting your application



In person:

Fines Victoria
Ground Floor, 277 William Street
Melbourne, Victoria

Opening hours: 9am to 5pm
Monday to Friday (except public holidays)



Online:

Fines Victoria
[fines.vic.gov.au/contact us](http://fines.vic.gov.au/contact-us)
(click submit an online enquiry)



By mail:

Fines Victoria
PO Box 14487
Melbourne Victoria 8001

Do you require legal assistance?

You may be able to obtain assistance from one of the following organisations:

- Victoria Legal Aid | www.legalaid.vic.gov.au
- Victorian Community Legal Centres | www.communitylaw.org.au
- Victorian Aboriginal Legal Service | www.vals.org.au

Privacy Statement

The Department of Justice and Regulation collects personal information for the purposes of dealing with your outstanding infringements. Personal information may also be disclosed to third parties as authorised by the Privacy and Data Protection Act 2014 and Health Records Act 2001.

1 Is my condition/situation considered special circumstances?

Special circumstances includes the following conditions/circumstances:

- a mental or intellectual disability, disorder, disease or illness
- a serious addiction to drugs, alcohol or volatile substance
- homelessness
- where a person is affected by family violence

2 What evidence do I need ?

You must provide evidence to establish that you had a condition/circumstances at the time of the offence and demonstrate that your condition/circumstances resulted in your offending conduct.

You need to provide evidence to support your application. This evidence could include letters, reports (e.g. medical reports), statements, court orders (e.g. Family Violence Intervention Orders) that confirm your condition/circumstances and establish that your condition/circumstances resulted in your offending conduct.

Evidence provided should be dated within 12 months except where you have a long term condition (e.g. an intellectual disability).

3 Who can prepare supporting evidence?

You may obtain supporting evidence from the following:

Mental or intellectual disability, disorder, disease or illness:

- general practitioner
- psychiatrist
- psychologist
- psychiatric nurse.

Homelessness:

- case worker
- case manager
- approved agency (such as the Salvation Army)
- recognised health or community welfare service provider.

Serious alcohol or drug addiction:

- general practitioner
- case manager
- psychiatrist
- psychologist
- accredited alcohol and other drug worker

Family violence:

- case worker or social worker (e.g. specialist FV case worker)
- financial counsellor
- health practitioner (e.g. general practitioner, psychologist, psychiatrist, registered occupational therapists)
- school principal or school welfare coordinator.

4 What should the supporting evidence contain?

Supporting evidence should include the following information:

- the practitioner's qualifications or the services the agency is accredited to provide
- the practitioner's or agency's relationship with you and the period of time the practitioner or agency has known you
- whether you had special circumstances at the time of the offence(s)
- whether your special circumstances resulted in your inability to control or understand your offending conduct.
- your current and previous treatment in relation to the condition.

5 Submitting your special circumstances application form to Fines Victoria

Once you have all of the documents to support your application, you must complete the application for enforcement review form, attach all the documents and submit it to Fines Victoria.

REASON FOR REQUESTING AN ENFORCEMENT REVIEW

8. Why are you requesting an enforcement review?

- Person unaware: You were not given the infringement notice(s) in person and have only just become aware of it/them
- Exceptional circumstances: If the offence(s) occurred due to unforeseen or unpreventable circumstances (e.g. medical emergency)
- Mistaken identity: The fine was issued against the wrong person due to a mistake of identity
- Contrary to law: The issuing of the fine(s) was unlawful or not valid
- Special circumstances: (A company cannot apply under special circumstances)
You can prove that at the time of the offence(s) you:
- had a mental or intellectual disability, disorder, disease or illness
 - had a serious addiction to drugs, alcohol or volatile substance
 - were homeless
 - were a person affected by family violence
- and the condition/circumstances resulted in the offending conduct.

9. When did you find out about the fine(s)?

D	D	/	M	M	/	Y	Y	Y	Y
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10. Tell us why you believe the fine(s) should be reviewed (Attach a separate page if you need more space to write)

11. Evidence

Have you attached supporting evidence to this application?
If supporting documents are not supplied your application may not be successful

Yes No

12. Checklist

- Completed all required fields
- Provided obligation number(s) (as applicable)
- Signed and dated the application

DECLARATION

13. Applicant declaration

I authorise Fines Victoria to release my personal/company information contained in this application to the enforcement agencies that issued the fine(s) and the Magistrates' Court

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

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

Signature of applicant

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Date

D	D	/	M	M	/	Y	Y	Y	Y
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14. Authorised person declaration (if applicable)

I am authorised to act on behalf of the applicant and I have informed the applicant that their personal information may be disclosed to the enforcement agencies that issued the fine(s) and the Magistrates' Court

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

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

The applicant is aware that I am making this application on their behalf.

Yes No

Signature of authorised agent/representative

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Date

D	D	/	M	M	/	Y	Y	Y	Y
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