

You can make an application for enforcement review online by visiting [fines.vic.gov.au](https://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 consent of the individual named in the notice of final demand (complete section 14 of the form)
- 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 (for example, a medical emergency).

### Mistake of identity

If the fine(s) should not have been issued against you (for example, 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 had special circumstances at the time of the offence(s), or have severe long term circumstances making it impracticable to deal with the fine(s) in any way. 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.

If applying on grounds of special or exceptional circumstances, you can ask for more time to get the required evidence. You should ask for more time when you submit your application.

## What happens next?

### Grounds of person unaware

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

### All other grounds

If your application is successful, the enforcement agency is notified and has 90 days to withdraw the fine 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
- the matter is a collection and enforcement order
- 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](https://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 | [legalaid.vic.gov.au](https://legalaid.vic.gov.au)
- Victorian Community Legal Centres | [communitylaw.org.au](https://communitylaw.org.au)
- Victorian Aboriginal Legal Service | [vals.org.au](https://vals.org.au)

## Privacy Statement

The Department of Justice and Community Safety collects personal information for the purposes of dealing with your outstanding fines. If your application is successful, we can disclose the information you provide to us to the enforcement agency responsible for your fine as authorised by the *Privacy and Data Protection Act 2014* and *Health Records Act 2001*.

## 1 Is my condition/situation considered special circumstances?

You can apply on the ground of special circumstances if:

- at the time of your offence you:
  - had a mental or intellectual disability, disorder, disease or illness
  - had a serious addiction to drugs, alcohol or a volatile substance
  - were homeless, or
  - were a victim survivor of family violence, OR
- you cannot deal with your fines in any way due to severe, disabling, long-term circumstances that do not only relate to financial hardship.

## 2 What evidence do I need?

You must provide evidence to explain:

- your circumstance, including its nature, severity, duration, and impact on your life
- the link between your circumstance and your offending behaviour, or your long-term inability to deal with the fine.

Evidence may include, reports, letters, statements, submissions, statutory declarations, police reports and family violence safety notices.

Evidence provided should be dated within 12 months of the application except where you have a long term condition (for example, an intellectual disability).

If you do not have documentary evidence yet, you can ask for more time to get it. You should ask for more time when you submit your application. You can ask for up to three months. Your fines will be on hold until you send in the evidence.

## 3 Who can prepare supporting evidence?

You may provide supporting evidence from the following:

### Mental or intellectual disability, disorder, disease or illness:

- general practitioner
- psychiatrist
- psychologist
- psychiatric nurse
- registered occupational therapist
- accredited mental health social worker or case worker

### Serious alcohol or drug addiction:

- general practitioner
- psychiatrist
- psychologist
- drug and alcohol case worker
- accredited drug and alcohol counsellor or agency

### Homelessness:

- general practitioner
- psychiatrist
- psychologist
- financial counsellor
- case worker or social worker
- recognised health or community welfare service provider (such as the Salvation Army).

### Family violence:

- case worker or social worker
- financial counsellor
- health practitioner (for example, general practitioner, psychologist, psychiatrist, registered occupational therapist)
- school principal or school welfare coordinator.

## 4 What should the supporting evidence contain?

Supporting evidence should include the following information:

- an explanation of your circumstance, including its nature, severity, duration, and impact on your life
- the link between your circumstance and your offending behaviour, or your long-term inability to deal with the fine
- your practitioner's qualifications
- your practitioner's relationship with you and how long they have known you.

## 5 Submitting your special circumstances application to Fines Victoria

Complete the application for enforcement review form, and submit it to Fines Victoria with documents to support your application. If you need more time to get the evidence, indicate how long you need in question 11.





## 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)

**Contrary to law:** The issuing of the fine(s) was unlawful or not valid

**Mistake of identity:** The fine was issued against the wrong person due to a mistake of identity

#### Special circumstances:

(A company cannot apply under special circumstances )

You can show that:

- at the time of your offence you had one or more of the following conditions/circumstances and this was linked to your offending:
  - a mental or intellectual disability, disorder, disease or illness
  - a serious addiction to drugs, alcohol or a volatile substance
  - homelessness
  - you were a person affected by family violence, OR
- you cannot deal with your fines in any way due to severe, disabling, long-term circumstances.

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

D	D	/	M	M	/	Y	Y	Y	Y
---	---	---	---	---	---	---	---	---	---

### 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 (without supporting evidence, your application may not be successful)

Have you attached supporting evidence to this application?

Yes

No

Are you applying on grounds of special or exceptional circumstances and need more time to get the evidence? Please indicate how long you need.

1 month

2 months

3 months

### 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 disclose my personal information to the enforcement agencies that issued the fine(s), the Magistrates' Court of Victoria, and any person whose evidence I rely on in support of this application.

I understand that Fines Victoria may update its records with my contact details provided on this form, and that I may be contacted regarding my outstanding fines.

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

I understand that it is an offence under the *Fines Reform Act 2014* to intentionally provide false or misleading information in a written statement required by or under that Act. I understand that the offence carries a fine in excess of \$1800.

Signature of applicant

Date

D	D	/	M	M	/	Y	Y	Y	Y
---	---	---	---	---	---	---	---	---	---

### 14. Authorised person declaration (if applicable)

I declare that the fine holder is aware that I am making this application on their behalf, and I am authorised to act on their behalf.

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 and any person whose evidence relied on in support of this application, and
- Fines Victoria may update its records with their contact details provided on this form, and that they may be contacted regarding any outstanding fines.

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

I understand that it is an offence under the *Fines Reform Act 2014* to intentionally provide false or misleading information in a written statement required by or under that Act. I understand that the offence carries a fine in excess of \$1800.

Signature of authorised agent/representative

Date

D	D	/	M	M	/	Y	Y	Y	Y
---	---	---	---	---	---	---	---	---	---