



NOTICE TO DEFENDANT AS TO PENALTY

Magistrates Court of South Australia

www.courts.sa.gov.au

Criminal Procedure Act 1921

Sections 27C(3) and 62C(2)

Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street		Telephone		Licence Number
	City/Town/Suburb	State	Postcode	Email Address	
<p>You have been convicted in your absence of the following offence(s):</p> <p>You should attend Court at the next hearing or have a solicitor attend for you. At the next hearing your driver's licence (or learner's permit) may be disqualified or suspended. If you fail to attend a warrant may be issued for your arrest.</p>					
Next hearing	Registry			Date	
	Address			Time am/pm	
	Telephone	Facsimile	Email Address		
<p>..... Date</p>			<p>..... MAGISTRATE / REGISTRAR / JUSTICE OF THE PEACE</p>		
IMPORTANT NOTICE TO THE DEFENDANT					
If you wish to dispute these charges you should read the information below.					
NOTICE TO DEFENDANT					
RE HEARING					
Section 76A of the <i>Criminal Procedure Act 1921</i> provides that the Court may, on its own initiative or on the application of any party, set aside a conviction or order provided that:					
<p>(a) the parties consent to have it set aside;</p> <p>(b) the conviction or order was made in error; or</p> <p>(c) it is in the interest of justice to set aside the conviction or order.</p>					
If you wish to have the conviction or order set aside, you must complete the application appearing below, and return this notice so as to reach the Registrar within fourteen days of the day on which you received this notice. You or your solicitor must then attend Court on the date and time to which this matter has been adjourned (as detailed on this notice) to support your application. If you do not apply to have the conviction or order set aside within fourteen days of the receipt of this notice the conviction or order will stand.					
APPLICATION FOR RE-HEARING					
I, the defendant named in this notice, hereby apply for a re-hearing of the charge referred to in this notice.					
<p>..... Date</p>			<p>..... APPLICANT</p>		

