



REVIEW OF REFUSAL TO REVOKE ENFORCEMENT DETERMINATION

Magistrates Court of South Australia

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Fines Enforcement and Debt Recovery Act 2017

Section 23

Court Use

Fee Paid:
Date Filed:
Service on
Issuing Authority:
Service on CRO:

Registry				File No		
Address	Street		Telephone		Facsimile	DX
	City/Town/Suburb	State	Postcode	Email Address		
Applicant						
Full Name					DOB	
Address	Street		Telephone		Facsimile	
	City/Town/Suburb	State	Postcode	Email Address		
Issuing Authority						
Full Name						
Address	Street		Telephone		Facsimile	
	City/Town/Suburb	State	Postcode	Email Address		
Enforcement Determination Particulars						
Expiation Notice No.			Date of Offence			
Vehicle Registration			Date of Enforcement Determination			
Date of Notice of Determination						
Date of Refusal to Revoke Enforcement Determination by Chief Recovery Officer						
Offence Particulars						
Details of Application						
I apply for a review of the Chief Recovery Officer's decision to refuse to revoke an enforcement determination. The initial application to have the enforcement determination revoked by the Chief Recovery Officer was made on the grounds that:						
<input type="checkbox"/> I did not have a reasonable opportunity to elect under section 8 of the <i>Expiation of Offences Act 1996</i> to be prosecuted for any offence to which the original expiation notice relates (other than because I did not receive an expiation notice or expiation reminder notice under the <i>Expiation of Offences Act 1996</i>); or						
<input type="checkbox"/> I did not have a reasonable opportunity to apply for review of the expiation notice to which the determination relates under section 8A of the <i>Expiation of Offences Act 1996</i> (other than because I did not receive an expiation notice or expiation reminder notice under the <i>Expiation of Offences Act 1996</i>).						
Please briefly set out the facts relevant to your ground of review:						
<input type="checkbox"/> I confirm that I have first applied to the Chief Recovery Officer to have the enforcement determination revoked.						
Please indicate if the application is made out of time:						
<input type="checkbox"/> I make an application out of time.						
<i>This checkbox must be completed if the review is being made more than 30 days after notice of the decision of the Chief Recovery Officer refusing to revoke the enforcement determination under section 22(5)(b).</i>						

You must file and serve an affidavit explaining why either of the above grounds is satisfied and if you are applying more than 30 days after notice of the decision of the Chief Recovery Officer refusing to revoke the enforcement determination under section 22(5)(b) you must explain the reason for delay.

Please attach the affidavit to this application and any documentary evidence supporting the application. If available, attach a copy of the enforcement determination, the application to the Chief Recovery Officer for revocation of the enforcement determination, the decision of the Chief Recovery Officer refusing the application and expiation notice.

.....
Date

.....
APPLICANT

Hearing details	Registry		Date
	Address		Time am/pm
	Telephone	Facsimile	Email Address

IMPORTANT NOTICE TO THE REGISTRAR

The Registrar must serve a copy of the application on the Chief Recovery Officer and the Issuing Authority.

Notice of Intention

(To be completed by the Issuing Authority or the Chief Recovery Officer)

I,
hereby give notice that I intend to oppose the application.

.....
Date

.....
ON BEHALF OF THE CHIEF RECOVERY OFFICER
OR ISSUING AUTHORITY

IMPORTANT NOTICE TO THE CHIEF RECOVERY OFFICER OR ISSUING AUTHORITY

The Issuing Authority or the Chief Recovery Officer must file and serve the Notice of Intention on the applicant no later than 7 days before the hearing.