Form 83

|  |  |  |
| --- | --- | --- |
|  | APPLICATION**Magistrates Court of South Australia**[www.courts.sa.gov.au](http://www.courts.sa.gov.au) *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* Sections 7(1), 12(1) and 21(1) | Court UseDate Filed: |
|  |
| Registry |       | File No |       |
| Address |       |       |       |
|  | *Street* | *Telephone* | *Facsimile* |
|  |       |       |       |       |
|  | *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| **Applicant** |
| Name |       |       |
|  | *Surname* | *Given name/s* |
| Address |       |       |       |
|  | *Street* | *Telephone* | *ID Number* |
|  |       |       |       |       |
|  | *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| **Person against whom the order is to be made** |
| Name |       |       | Reference  |       |
|  | *Surname* | *Given name/s* |  |  |
| Address |       |       | DOB       |
|  | *Street* | *Telephone* | *dd/mm/yyyy* |
|  |       |       |       |       |
|  | *City/Town/Suburb* | *State* | *Postcode* | *Email Address* |
| **Order sought:** [ ]  Extension of clamping period (section 7(1))[ ]  Forfeiture of motor vehicle (section 12(1)(a)(i))[ ]  Forfeiture of motor vehicle (section 12(1)(a)(ii))[ ]  Forfeiture of motor vehicle (section 12(1)(a)(iii))[ ]  Impounding of motor vehicle (section 12(1)(b)(i))[ ]  Removal of clamps or release of an impounded motor vehicle (section 21(1)(a))[ ]  Payment out of proceeds of sale (section 21(1)(c))Details:  |
| **Details of the Motor Vehicle** |
| Make |       | Model  |       |
| Year of Manufacture |       | Registration Number  |       |
| Engine Number |       | Vehicle Identification Number |       |
| Garaging Address |       |
| **Clamping Offence Details** |
| Details of Offence |       | Date of Offence |       |
| Date of Conviction |       | Court File Number |       |

|  |
| --- |
| **Details of Clamping or Impounding** |
| Date Court Order made |       | Court File Number |       |
| Date motor vehicle clamped or impounded |       |
| Details of Order made under Part 2 or Part 3 |       |
| **Previous Prescribed Offences Alleged** |
| Details of Offence |       | Date of Offence |       |
| Date of Conviction |       | Court File Numbers |       |
| Court File Numbers |       |
| *[Insert extra pages if necessary]* |
| I advise the Court that at the time of making this application, the following person/s had an interest in this vehicle: |
| Name |       | Address |       |
| Phone |       | Nature of interest |       |
| *[Insert extra pages if necessary]* |
|   Date Applicant |
| **Hearing date** | Registry       | Date       |
| Address       | Time       am/pm |
| Telephone       | Facsimile       | Email Address       |
|   Date MAGISTRATES COURT |
| **IMPORTANT NOTICE TO THE PERSON AGAINST WHOM AN ORDER IS TO BE MADE*** If you do not attend on the hearing date, or any adjourned hearing date, orders may be made in your absence. You may request to make representations to the Court relating to the application at this hearing date.
 |
| **IMPORTANT NOTICE TO THE REGISTRAR*** All registered owners, holders of any secured interests or people who claim ownership of the motor vehicle or are likely to suffer financial or physical hardship as a result of the making of the order must be served with this application and notice of the hearing date. If the application is made pursuant to s 21, the application and notice must also be served on the Commissioner of Police (if the order was made under Part 2) or the Sheriff (if the order was made under Part 3).
 |

|  |
| --- |
| **Proof of Service**  |
| Name of person serving:       |
| Address of person serving:       |
| Name of person served:       |
| Address at which service effected:       |
| Date service effected:       |
| Time of day: Between       am/pm and       am/pm |
| Method of service (tick box)[ ]  personally;[ ]  posted at the person’s last known address;[ ]  posted at the person’s address for service;[ ]  left for the person at the person’s last known address or address for service with someone apparently over the age of 16 years; or[ ]  given to, or served on, the person in a manner prescribed by regulation – specify:      I certify that I served a copy of this notice on the parties listed above. |
| Certified this       day of       20       |