

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Signed:</p> <p>FDN:</p>

ORDER – FORFEITURE OR IMPOUNDING OF MOTOR VEHICLE
Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007

[SUPREME/DISTRICT/MAGISTRATES/YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT] Select one
 COURT OF SOUTH AUSTRALIA
 CRIMINAL JURISDICTION

[FULL NAME]
Informant/R

v

[FULL NAME]
Defendant/Youth

Defendant/Youth			
Relationship to vehicle	Relationship eg registered owner/security interest holder/likely to suffer financial or physical hardship/other		
Name	Full Name and ACN/ABN if applicable		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
Registered office if body corporate	Email address		
Phone Details	Type (eg. Home; work; mobile) – Number		Another number

<p>Introduction</p> <p>Hearing</p> <p>Hearing Location: [suburb] [Hearing date] [Listed starting time]</p> <p>Hearing type:</p> <p>[Presiding Officer]</p>

Remarks

The Court is satisfied that application has been made by the Prosecution to the Court that recorded the conviction of the [Defendant/Youth] [number] [name] of a prescribed offence under section 12 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* and the [Defendant/Youth]:

- (a) has been convicted of a forfeiture offence namely, [description of offence].
- (b) has been found guilty of or expiated 1 other prescribed offence committed or allegedly committed within 10 years of the date of the offence, namely [description of offences] and section 12(1)(a) of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* does not apply.
- (c) has been found guilty of or expiated at least 1 other prescribed offence committed or allegedly committed within 12 months of the offence, namely [description of offence[s], date of conviction].
- (d) has been found guilty of or expiated at least 2 other prescribed offences committed or allegedly committed within 10 years of the date of the offence, namely [description of offences].
- (e) used a motor vehicle in the commission on the offence and that motor vehicle was not at the time stolen or otherwise unlawfully in their possession or being used by them in circumstances (if any) prescribed by regulation.
- (f) is a registered owner of the motor vehicle.

Order

Date of Order: [date]

Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

- 1. if made under sections 12(1)(a)(i), 12(1)(a)(ii) or 12(1)(a)(iii) The motor vehicle specified is forfeited to the Crown.
- 2. if made under section 12(1)(b) The motor vehicle specified be impounded by the relevant authority for a period of [months/days]. must not exceed six months
- 3. The [Defendant/Youth] pay to the relevant authority fees calculated in accordance with the regulations in relation to the [forfeiture/impounding] of the motor vehicle, namely the sum of [amount].
- 4. The [Defendant/Youth] pay the [clamping/impounding] fees to the Commissioner, namely the sum of [amount].
- 5. provision for multiple [other orders].

Motor vehicle subject of order

Registration number

Number

Plate number

Number

Garaging address

Street – include unit or level number and/or name of property if necessary

Make of vehicle

City/Town/Suburb

State

Postcode

Model of vehicle

Make (if known)

Year of manufacture

Model (if known)

Engine number

Year (if known)

Vehicle identification number

Engine number (if known)

VIN number (if known)

Authentication

.....
Signature of Court Officer
[*title and name*]