

To be inserted by Court

Case Number:

Date Filed:

FDN:

**NOTICE OF PENALTY IMPOSED**

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

[FULL NAME]

Informant

v

[FULL NAME]

Defendant/Youth

Defendant/Youth	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Date of Birth/Licence no	Date of Birth	Driver's Licence no (if any)	
Phone Details	Type (eg. Home; work; mobile) – Number	Another number	

**To [the] [Defendant/Youth] [number] [name]: WARNING****You were convicted in your absence on [date] of:**

- ☐ the charge in the Information dated [date].
- ☐ all of the charges in the Information dated [date].
- ☐ count[s] [number(s)] in the Information dated [date].

**Monetary Penalties**

- ☐ (a) The Court has imposed on you the following fine[s] on [date]:
- i. count [number] a fine of \$[amount] provision for multiple
- ☐ (b) The Court has ordered that you pay \$[amount] in costs.

☐ (c) The Court has ordered that you pay the following victims of crime [*levy/levies*]:

i. count [*number*]: \$[*amount*] provision for multiple

☐ (d) The Court has ordered that you pay \$[*amount*] to [*full name of victim*] by way of compensation.

The total amount the Court has ordered that you pay is \$[*amount*].

Each amount must be paid within 28 days of the date that it was imposed. You will need to pay the amount[s] or enter into a payment arrangement with the Chief Recovery Officer of the Fines Enforcement and Recovery Unit. For all payment options, contact the Fines Enforcement and Recovery Unit by telephone on 1800 659 538 or by visiting [www.fines.sa.gov.au](http://www.fines.sa.gov.au).

☐ **Disqualification Penalties**

☐ You have been **disqualified** from holding or obtaining a licence to drive a motor vehicle commencing on [*date*] and ending at midnight on [*date*].

**You must not, under any circumstances, drive** any form of motor vehicle on a road or street, or in any place that members of the public can access, during this time. Driving while disqualified is a serious offence. If you do this you will be guilty of an offence and may be **imprisoned** for up to **12 months** for a first offence, and up to **3 years** for a second offence. Imprisonment is the most common penalty for this offence.

☐ Your existing licence has also been automatically **cancelled** by operation of legislation made by the Parliament of South Australia. If you wish to drive after the period of disqualification, you must reapply for your licence after the period of disqualification has ended.

**Possibility of re-hearing**

Section 76A of the *Criminal Procedure Act 1921* provides that the Court may, on its own initiative or on the application of any party, set aside a conviction or order provided the Court is satisfied that:

- (a) the parties consent to have it set aside; or
- (b) the conviction or order was made in error; or
- (c) it is in the interest of justice to set aside the conviction or order.

If the Court sets aside a conviction, the Court will arrange to re-hear the proceedings.

If you wish to make an application for re-hearing, you must complete a Form 172A Interlocutory Application for Set Aside and Re-hearing **within 14 days of receiving this Notice**. This can be done through the CourtSA portal or by returning the completed Form to the Registry of the Court within this time period.

After you have filed your application, the Court will tell you of a date, time and location to hear your application. You or your solicitor must then go to the hearing to support your application.

**Accompanying Documents**

Accompanying this notice is the Information dated [*date*].