**ORDER – VEHICLE CLAMPING ACT – EXTENSION OF CLAMPING / CREDIT PROVIDER RELIEF**

**Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007**

[*MAGISTRATES/YOUTH*] **Select one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

**[*FULL NAME*]**

**Respondent**

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| **Introduction**  **Hearing**  Hearing Location: [*suburb*]  [*Hearing date*]  [*Presiding Officer*]  **Appearances**  [*Applicant Appearance Information*]  [*Respondent Appearance Information*]  **Remarks**  Pursuant to section [*7(1)/12(1)(b)(i)/21(1)(a)/21(1)(b)/21(1)(c)*] of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, the Court is satisfied that: | | |
|  |  | **default selected if Order under section 7(1)** the motor vehicle identified below was used in the commission of a prescribed offence and having regard to the matters as outlined in section 7(5) of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, it is proper to order an extension of the period for which the motor vehicle is to remain clamped. |
|  |  | **default selected if Order under section 12(1)(b)(i)** the Respondent has, within 10 years of the date of a prescribed offence, been found guilty of or expiated 1 other prescribed offence, namely [*particulars of offence*] committed on [*date*]. |
|  |  | **default selected if Order under section 21(1)(a) or section 21(1)(b)** the rights of the credit provider identified below would be significantly prejudiced if the order were not made. |
|  |  | **default selected if Order under section 21(1)(c)** the credit provider identified below has suffered, or will suffer, loss as a result of the exercise of powers under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007.* |

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| **Order**  **Date of Order**: [*date*]  **Terms of Order**  It is ordered that:  **Orders in separately numbered paragraphs.** | | |
|  |  | **default selected if section 7(1) selected above** Pursuant to section 7 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, despite section 6 of the Act, the motor vehicle identified below is liable to remain clamped for a period of [*days*]. **must be more than 28 days but less than 90 days** |
|  |  | **default selected if section 21(1)(a) selected above** Pursuant to section 21 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, the clamps affixed to the motor vehicle identified below be removed. |
|  |  | **default selected if section 21(1)(b) selected above** Pursuant to section 21 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, the impounded motor vehicle identified below be released to the credit provider identified below. |
|  |  | **default selected if section 21(1)(c) selected above** Pursuant to section 21 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, the credit provider identified below receive [*amount*] out of the proceeds of the sale of the motor vehicle identified below, provided that such amount will only be payable if sufficient proceeds remain after the deduction of costs and fees in accordance with section 20(6) of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*. |
|  |  | [*other*]. |

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| **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** | | |
|  |  |  |
| ***City/Town/Suburb*** | ***State*** | ***Postcode*** |
| Make of vehicle |  | | |
| **Make (if known)** | | |
| Model of vehicle |  | | |
| **Model (if known)** | | |
| Year of manufacture |  | | |
| **Year (if known)** | | |
| Engine number |  | | |
| **Engine number (if known)** | | |
| Vehicle identification number |  | | |
| **VIN number (if known)** | | |

**If applicable**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Credit provider of vehicle subject of application** | | | | |
| Credit provider |  | | | |
| **Full name, registered company, firm, business name, etc.** | | | |
| ACN/ABN **if applicable** |  | | | |
| **Number** | | | |
| Address |  | | | |
| **Street** **– include unit or level number and/or name of property if necessary** | | | |
|  |  | |  |
| ***City/Town/Suburb*** | ***State*** | | ***Postcode*** |
|  | | | |
| **Country (default Australia and not displayed if Australia)** | | | |
| Email address |  | | | |
| **Email address** | | | |
| Telephone number |  | |  | |
| **Type (eg. home; work; mobile) - Number** | | **Another number (optional)** | |

**If applicable**

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| **[*previous prescribed offences/clamping offence*] details**  **Provision for multiple** | | | |
| Offence [*1*] |  | | |
|  | | |
| Details of offence |  | | |
| **Details** | | |
| Date of offence |  | | |
| **Date** | | |
| Date of conviction |  | | |
| **Date** | | |
| Court file number |  | | |
| **number** | | |

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| **Authentication**  …………………………………………  Signature of Court Officer  [*title and name*] |