
JUSTICE

JU301*

Fines, Penalties and Infringement Notices Enforcement Act 1994

**Fines, Penalties and Infringement Notices
Enforcement Amendment Regulations 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2005*.

2. Commencement

These regulations come into operation on 1 May 2005.

3. The regulations amended

The amendments in these regulations are to the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994**.

[* Reprint 2 as at 9 July 2004.]

4. Regulation 8A amended

Regulation 8A(1) and (2) are amended by deleting “justices” and inserting instead —

“ Magistrates Court ”.

5. Regulation 9 replaced

Regulation 9 is repealed and the following regulation is inserted instead —

“

9. Enforcement fees for Parts 3, 4 and 7

- (1) The fees in Schedule 2 Division 1 are prescribed as enforcement fees for the purposes of Part 3 of the Act and are to be imposed on an alleged offender at the time indicated.
- (2) The fees in Schedule 2 Division 2 are prescribed as enforcement fees for the purposes of Part 4 of the Act and are to be imposed on an offender at the time indicated.

(3) The fees in Schedule 2 Division 3 are prescribed as enforcement fees for the purposes of Part 7 of the Act and are calculated in accordance with that Division.

”.

6. Schedule 1 amended

Schedule 1 is amended by deleting the headings to the Schedule and inserting instead —

“

Schedule 1 — Enactments to which Part 3 of the Act applies

[r. 3]

”.

7. Schedule 2 replaced

Schedule 2 is repealed and the following Schedule is inserted instead —

“

Schedule 2 — Enforcement Fees

[r. 9]

Division 1 — Enforcement fees for Part 3 of the Act

- 1. Fee for issuing a final demand \$12.50
(To be imposed when the final demand is issued.)
- 2. Fee for preparing an enforcement certificate in relation to an infringement notice, for each infringement notice ... \$10.50
(To be imposed when the infringement notice is registered.)
- 3. Fee for registering an infringement notice with the Registry \$39.00
(To be imposed when the notice is registered.)
- 4. Fee for issuing a notice of intention to suspend licences \$26.00
(To be imposed when a licence suspension order is made.)

Division 2 — Enforcement fees for Part 4 of the Act

- 1. Fee for issuing a notice of intention to suspend licences \$26.00
(To be imposed when a licence suspension order is made or when a warrant of execution is issued, but not twice.)
- 2. Fee for issuing a warrant of execution \$122.00
(To be imposed when the warrant is issued.)

Division 3 — Enforcement fees for Part 7 of the Act

- 1. Fee for attending the Magistrates Court in connection with proceedings to examine a person under section 69, for each hour or part of an hour \$55.00

2. The actual amounts disbursed in connection with seizing, moving, storing, securing, protecting and insuring property (including amounts disbursed for the keeping of animals) are prescribed as enforcement fees.
3. Fee for inspecting personal property under seizure \$36.50
4. Fee for lodging a memorial under section 89 \$39.00
5. Fee for lodging a withdrawal of memorial under section 90 \$26.00
6. The actual amounts disbursed for the purpose of valuing any personal property or land, or for searches of titles and other records, are prescribed as enforcement fees.
7. The actual amounts disbursed for advertising, and otherwise in connection with the arranging of, any intended sale of personal property or land are prescribed as enforcement fees.
8. Fee for arranging a sale of personal property or land, including preparing advertisements and conditions of sale, but excluding disbursements, not exceeding \$128.50
9. The actual amounts disbursed in connection with a sale of personal property or land (including settlement costs) are prescribed as enforcement fees.
10. Fee for attending a sale of personal property or land \$58.00
11. Fee for preparing and executing a transfer of land sold \$128.50
12. Fee for attending a court in connection with interpleader proceedings, for each hour or part of an hour \$36.50
13. If the Sheriff or a delegate of the Sheriff is necessarily put to extra trouble and expense in connection with executing a warrant of execution or is required to do anything not provided for in this Division, the Sheriff may set an amount or an additional amount (as the case may be) and that amount is prescribed as an enforcement fee.

If under this item the Sheriff sets an amount for travelling expenses, the amount is not to exceed the rate per kilometre, one way, that is prescribed as a travelling fee for the service of documents in the *Magistrates Court (Fees) Regulations 2005*.

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8. Schedule 3 amended

- (1) Schedule 3 is amended by deleting the headings to the Schedule and inserting instead —

“

Schedule 3 — Forms

[r. 12]

”.

- (2) Schedule 3 is amended in each Form listed in the Table to this regulation by deleting “Court of Petty Sessions at Perth” in each place where it occurs and inserting instead —
- “ The Magistrates Court ”.

Table

Form 2	Form 6
Form 3	Form 6A
Form 4	Form 6B

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.