JM302

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT
ACT 1994

FINES, PENALTIES AND INFRINGEMENT NOTICES
ENFORCEMENT AMENDMENT REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 1995*.

Principal regulations

2. In these regulations the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994** are referred to as the principal regulations.

[* *Published in Gazette of 30 December 1994 at pp. 7232-41.*]

Regulations 6A and 6B inserted

3. After regulation 6 of the principal regulations the following regulations are inserted —

"

Calculation of required hours for WDO (s. 49 (2))

6A. (1)   The required hours in a WDO are to be calculated as —

(a)   for up to $100 owed by the offender — 6 hours;

(b)   for more than $100 and up to $200 owed by the offender — 12 hours,

and so on, increasing in units of up to $100.

(2)   The number of hours to be performed each week is 12 hours, unless a lesser number of hours remains for that offender to perform, in which case all of the remaining hours are to be performed in the one week.

Reduction of WDO amount when work performed or hours when payment made (s. 51)

6B. (1)   Where an offender pays part of the amount owed, the remaining hours required to be performed under the WDO are to be calculated in accordance with regulation 6A (1).

(2)   The amount owed by an offender who is the subject of a WDO, is to be reduced by $100 for every 6 hours worked, with the reductions to be in units of 6 hours, and where less than $100 is owed, the offender must perform 6 hours to complete that WDO.

".

Regulation 10 amended

4. Regulation 10 of the principal regulations is amended in the list of exempt prosecuting authorities —

(a)   by deleting the full stop after "Authority"; and

(b)   by inserting in the appropriate alphabetical positions the following authorities —

"

Office of Racing and Gaming

The Queen Elizabeth Medical Centre Trust

Water Authority of W A

Western Australian Electoral Commission

".

Schedule 1 amended

5. Schedule 1 to the principal regulations is amended by inserting in the appropriate alphabetical positions the following —

"

Electoral Act 1907	156
Liquor Licensing Act 1988	167
Queen Elizabeth Medical Centre Act 1994	20
Taxi Act 1994	39
Water Authority Act 1984	103

".

Schedule 3 amended

6. Schedule 3 to the principal regulations is amended by deleting Forms 2, 3, 4 and 5 and substituting, or inserting, in the appropriate numerical order the following forms —

2. Warrant of execution for the purposes of section 45 (and Part 5).

Fines, Penalties and Infringement Notices Enforcement Act 1994
[Section 45 (& Part 5)]

Court of Petty
Sessions at Perth

Fines Enforcement
Registry

WARRANT OF EXECUTION

| Warrant No. |
| ACN No. |
| Case No. |

To: The Sheriff of Western Australia

Offender's or liable person's details	Name: Address: Date of Birth: MDL No.: MVL No.:
Case details	Court: Charge No: Date of Order: Nature of Court Order: Date of Offence: Offence:
Amount owed	Fine/forfeited amount: Costs: + Enforcement fee: + Sub-total: = Less amount paid: — AMOUNT OWED: =

The above court made the above order and the matter has been registered with this Registry for enforcement. To date, the above enforcement fees have been imposed. As a result the offender/liable person is required to pay the AMOUNT OWED which to date is unpaid.

YOU ARE AUTHORIZED AND COMMANDED BY THIS WARRANT to seize and sell so much of the offender's/liable person's personal property and land as is necessary to recover the amount owed and the enforcement fees in connection with the execution of this warrant.

This warrant must be executed in accordance with the *Fines, Penalties and Infringement Notices Enforcement Act 1994.*

REGISTRAR   **DATE**

3. Warrant of commitment for the purposes of section 53 (and Part 5).

Fines, Penalties and Infringement Notices
Enforcement Act 1994
[Section 53 (& Part 5)]

Court of Petty
Sessions at Perth

Fines Enforcement
Registry

WARRANT OF COMMITMENT

Warrant No.

Period of Imprisonment
Days Cum.

To:　All members of the Police Force of Western Australia
　　　The chief executive officer appointed under the *Prisons Act 1981*

	CASE NO.
Offender or liable person's details	Name: Address: Date of Birth: MDL No.:　　　　　MVL No.:
Case Details	Court: Date:　　　　Charge No: Prosecuting Authority: Offence date / time: Description:
Amount Owed	Fine / Amount forfeited: Costs: Enforcement fee: Sub-total: Less amount paid: TOTAL AMOUNT OWED:

The above court made the above order and the matter has been registered with this Registry for enforcement. To date, the above enforcement fees have been imposed. As a result the offender/liable person is required to pay the full AMOUNT OWED which to date is unpaid.

Under section 53 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994* the offender/liable person is to be imprisoned for the above period, subject to that section.

YOU ARE AUTHORIZED AND COMMANDED BY THIS WARRANT to arrest the offender and to imprison him or her for the period specified above, subject to section 53 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*. The period of imprisonment is CUMULATIVE on any term or period of imprisonment that the offender has to serve and no remissions may be authorized.

REGISTRAR　　　　　　　　　　　　　　**DATE**

PAYMENT DETAILS	DETAILS OF EXECUTION OR SATISFACTION	OFFICER'S DETAILS
Payment Type: Reference No: Gen. Receipt No: Payment Amount:	Amount Paid 　on Demand: Arrested at: CWB Advised: HRS　　/　　/	Name: No: Station: Date:

4. Warrant of execution for the purposes of section 61.

Fines, Penalties and Infringement Notices
Enforcement Act 1994
[section 61]

Court of Petty
Sessions at Perth

Fines Enforcement
Registry

WARRANT OF EXECUTION

Warrant No.	
ACN No.	
Case No.	

To: The Sheriff of Western Australia

Offender's details	Name: Address: A.C.N.:
Case details	Reciprocating Court: Location of Reciprocating Court: Date of Order: Nature of Court Order: Date of Offence: Offence:

Amount outstanding	Fine/forfeited amount: Costs: Enforcement fee: Sub-total: Less amount paid: AMOUNT OUTSTANDING:	 + + = — =

The above reciprocating court made the above order and the matter has been registered with this Registry for enforcement. To date, the above enforcement fees have been imposed. As a result the offender is required to pay the AMOUNT OUTSTANDING which to date is unpaid.

YOU ARE AUTHORIZED AND COMMANDED BY THIS WARRANT to seize and sell so much of the offender's property and land as is necessary to recover the amount outstanding and the enforcement fees in connection with the execution of this warrant.

This warrant must be executed in accordance with the *Fines, Penalties and Infringement Notices Enforcement Act 1994.*

REGISTRAR   **DATE**

6A. Memorial of land for the purposes of section 89 (2).

Fines, Penalties and Infringement Notices
Enforcement Act 1994
[Section 89]

To: Registrar of Titles/
     Registrar of Deeds and Transfers

Sheriff's Office
Warrant No.

Court of Petty
Sessions at Perth   **MEMORIAL**

Fines Enforcement
Registry

Description of land	Extent	Volume	Folio

Registered proprietor of land

Amount owed	Enforcement fees
$	$

This Memorial is lodged in respect of the land described above, together with
a copy of the Warrant, in accordance with section 89 of the *Fines, Penalties
and Infringement Notices Enforcement Act 1994.*

Dated this	day of	19

....
Sheriff

6B. Withdrawal of Memorial of land for the purposes of section 90.

Fines, Penalties and Infringement Notices
Enforcement Act 1994
[Section 90]

To: Registrar of Titles/
Registrar of Deeds and Transfers

| Sheriff's Office |
| Warrant No. |

Court of Petty
Sessions at Perth

WITHDRAWAL OF MEMORIAL

Fines Enforcement
Registry

Description of land	Extent	Volume	Folio

Registered proprietor of land

The following Memorial(s) in relation to the land described above are cancelled, in accordance with section 90 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994.*

Memorial   Number

Dated this   day of   19

....
Sheriff

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.