



Western Australia

## **Fines, Penalties and Infringement Notices Enforcement Regulations 1994**

Compare between:

[29 Sep 2020, 08-m0-00] and [30 Sep 2020, 08-n0-00]



## **Fines, Penalties and Infringement Notices Enforcement Regulations 1994**

### **1. Citation**

These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

### **2. Commencement**

These regulations come into operation on the day on which the *Fines, Penalties and Infringement Notices Enforcement Act 1994* comes into operation.

### **2A. Terms used**

In these regulations —

*approved user*, of the ECMS, has the meaning given in the *Criminal Procedure Regulations 2005* regulation 3(1);

*ECMS* means the electronic case management system for the management of proceedings in Western Australian courts and tribunals;

*section* means a section of the Act.

[Regulation 2A inserted: Gazette 31 Dec 2019 p. 4672;  
amended: SL 2020/167 r. 4.]

### **2B. Remote areas designated (Act s. 4B)**

(1) In this regulation —

*ASGS* means the Australian Statistical Geography Standard (ASGS): Volume 5 - Remoteness Structure, July 2016

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(catalogue number 1270.0.55.005) published by the Australian Bureau of Statistics.

- (2) Except as provided in subregulation (3), for the purposes of the Act, an area of the State is designated as a remote area if —
  - (a) the area is classified as “Very Remote Australia”, “Remote Australia”, “Outer Regional Australia” or “Inner Regional Australia” under the ASGS; or
  - (b) the area shares the same postcode as an area referred to in paragraph (a).
- (3) The following areas of the State are not remote areas —
  - (a) an area of the State that is located within the metropolitan region (as defined in the *Planning and Development Act 2005* section 4(1));
  - (b) an area of the State that shares the same postcode as an area referred to in paragraph (a).

*[Regulation 2B inserted: SL 2020/167 r. 5.]*

**2C. Service by electronic means (Act s. 5A)**

- (1) For the purposes of section 5A(1), information, a document or notice to which that section applies may be given to or served on a person by an electronic means approved by the CEO (fines enforcement) if the person has consented in the approved form to receiving information, documents or notices for the purposes of the Act by that electronic means.
- (2) Without limiting subregulation (1), the CEO (fines enforcement) may approve the ECMS as an electronic means under that subregulation.
- (3) This regulation does not apply to the giving to the Registry or the Registrar of a document to which regulation 11A applies.

*[Regulation 2C inserted: SL 2020/167 r. 5.]*

**3. Enactments prescribed for Act Part 3 (Act s. 12)**

Under section 12, the enactments in Schedule 1 are prescribed as enactments to which Part 3 of the Act applies.

**3AAA. Enforcement certificates and information under Act s. 16(1)**

- (1) For the purposes of section 16(1)(b), the following information in relation to an infringement notice is prescribed —
  - (a) the name and address of the alleged offender;
  - (b) a description of the alleged offence;
  - (c) the date or dates on which the alleged offence occurred;
  - (d) the location or locations at which the alleged offence occurred;
  - (e) the written law, and the provision of that written law, that creates the alleged offence;
  - (f) the amount of the modified penalty;
  - (g) the infringement notice reference number.
- (2) Under section 16(1), a prosecuting authority may, with the consent of the Registrar, give the Registry the enforcement certificate and the information required under section 16(1)(b) by electronic means in accordance with regulation 11A.

*[Regulation 3AAA inserted: SL 2020/167 r. 6.]*

**3AAAA. Form of request for cancellation of licence suspension order (Act s. 20A)**

A request under section 20A(1) must be —

- (a) made in a form approved by the Registrar; and
- (b) accompanied by any documentation or evidence required by that form.

*[Regulation 3AAAA inserted: SL 2020/167 r. 6.]*

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**3AAB. Notice of withdrawal under Act s. 22(2)**

Under section 22(2)(b) a prosecuting authority may, with the consent of the Registrar, give the Registrar a copy of a notice of withdrawal by electronic means in accordance with regulation 11A.

*[Regulation 3AAB inserted: Gazette 13 Nov 2015 p. 4657.]*

**3AA. Amount payable under Act s. 22(5)(c)**

- (1) In this regulation —  
*GST* has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth) section 195-1.
- (2) For the purposes of section 22(5)(c), if the vehicle was licensed under the *Road Traffic (Vehicles) Act 2012* when the vehicle licence cancellation and disqualification order was made, the alleged offender is to be paid —
  - (a) an amount calculated in accordance with subregulation (3); and
  - (b) any amount paid or required to be paid by the alleged offender under the *Road Traffic (Vehicles) Regulations 2014* in connection with the issue of a new vehicle licence in respect of the vehicle, including the following —
    - (i) any examination fee under Part 2 Division 8 Subdivision 1 of those regulations;
    - (ii) any recording fee under regulation 99 of those regulations;
    - (iii) any fee for the issue of number plates under regulation 112 of those regulations;and
  - (c) any amount paid or required to be paid by the alleged offender under the *Road Traffic (Vehicles) Regulations 2014* regulation 44(4) in connection with the grant of a permit under the *Road Traffic (Vehicles)*

*Act 2012* section 13(1), if the permit is for the purpose of enabling the vehicle to be driven to a location for an examination under those regulations or for repairs; and

- (d) if the alleged offender produces to the Registrar documentary evidence of any expenses of the alleged offender for travel, or vehicle towing or lifting, that resulted from the making of the vehicle licence cancellation and disqualification order — an amount that the Registrar considers appropriate to compensate the alleged offender for those expenses; and
- (e) if the alleged offender produces to the Registrar documentary evidence of any loss of earnings of the alleged offender that resulted from the making of the vehicle licence cancellation and disqualification order and that could not reasonably have been avoided by the alleged offender — an amount that the Registrar considers appropriate to compensate the alleged offender for the loss of earnings.

(2A) For the purposes of section 22(5)(c), if the vehicle was not licensed under the *Road Traffic (Vehicles) Act 2012* when the vehicle licence cancellation and disqualification order was made, the alleged offender is to be paid —

- (a) if the alleged offender produces to the Registrar documentary evidence of any expenses of the alleged offender for travel, or vehicle towing or lifting, that resulted from the making of the vehicle licence cancellation and disqualification order — an amount that the Registrar considers appropriate to compensate the alleged offender for those expenses; and
- (b) if the alleged offender produces to the Registrar documentary evidence of any loss of earnings of the alleged offender that resulted from the making of the vehicle licence cancellation and disqualification order and that could not reasonably have been avoided by the alleged offender — an amount that the Registrar

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considers appropriate to compensate the alleged offender for the loss of earnings.

- (3) For the purposes of subregulation (2)(a), the amount is to be calculated in accordance with the following formula —

$$\frac{\text{licence cost}}{\text{total days}} \times \text{remaining days}$$

where —

licence cost is the total of —

- (a) the vehicle licence charge paid for the vehicle licence in accordance with the *Road Traffic (Vehicles) Regulations 2014* Part 2 Division 7 (taking into account any exemption, reduction, concession or refund applied under those regulations); and
- (b) the insurance premium for the contract of insurance with respect to the vehicle as required by the *Motor Vehicle (Third Party Insurance) Act 1943* section 4 (including GST);

total days is the total number of days in the period for which the vehicle licence was issued;

remaining days is the number of days that were remaining in the period for which the vehicle licence was issued when the vehicle licence cancellation and disqualification order was made (including the day on which the vehicle licence cancellation and disqualification order was made).

*[Regulation 3AA inserted: Gazette 20 Aug 2013 p. 3878-80; amended: Gazette 10 Feb 2015 p. 609-10; SL 2020/167 r. 7.]*



[3A. Deleted: SL 2020/167 r. 8.]

**4. Orders and enactments prescribed for definition of *fine* in Act s. 28(1)**

For the purposes of paragraph (b) of the definition of *fine* in section 28(1), an order of the kind described in column 2 of the Table made under the enactment opposite it in column 1 of the Table is prescribed.

**Table**

<i>Column 1</i>	<i>Column 2</i>
<i>Workers' Compensation and Injury Management Act 1981</i> <sup>1</sup> , s. 170(2)	An order that an employer pay an amount to the General Account.

[Regulation 4 amended: Gazette 4 Aug 2017 p. 4314.]

**5. Enactment prescribed for Act s. 31(b)**

For the purposes of section 31(b) this enactment is prescribed:

*Workers' Compensation and Injury Management Act 1981*<sup>1</sup>.

**6. Applications relating to time to pay orders (Act s. 21B, 21D, 32C and 34)**

- (1) This regulation applies to an application —
  - (a) under section 21B(1) for a time to pay order in respect of an infringement notice; or
  - (b) under section 21D(1) to have a time to pay order in respect of an infringement notice amended; or
  - (c) under section 32C(1) for a time to pay order in respect of a fine; or
  - (d) under section 34(1) to have a time to pay order in respect of a fine amended.
- (2) The application may be made orally or in writing.

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- (3) If the application is made in writing, it must be in a form approved by the Registrar.

*[Regulation 6 inserted: SL 2020/167 r. 9.]*

**6AA. Information to be provided for means test (Act s. 21C, 21D, 21E, 33, 34, 35, 47 and 52F)**

- (1) This regulation applies to —
- (a) a person who is undergoing a means test under any of the following sections —
    - (i) section 21C(1);
    - (ii) section 21D(2);
    - (iii) section 21E(1);
    - (iv) section 33(1);
    - (v) section 34(3);
    - (vi) section 35(1);
    - (vii) section 47(3);
    - (viii) section 52F(2);and
  - (b) a person or body who makes an application under section 52E(1) on behalf of an offender who is required to undertake a means test under section 52F(2).
- (2) For the purposes of the means test, the Registrar may require the person or body to provide information, in the form approved by the Registrar, in relation to the following —
- (a) in the case of a person referred to in subregulation (1)(a) — the person's financial circumstances and capacity to pay the relevant amount, including information in relation to the person's income, assets, liabilities and personal circumstances;
  - (b) in the case of a person or body referred to in subregulation (1)(b) — the offender's financial circumstances and capacity to pay the relevant amount,

including information in relation to the offender's income, assets, liabilities and personal circumstances.

- (3) The Registrar may require the person or body to verify information provided in compliance with a requirement under subregulation (2) by a statutory declaration or by any other means.
- (4) The person or body commits an offence if, in compliance or purported compliance with a requirement under subregulation (2), the person or body —
  - (a) provides any statement, information, document or other evidence that the person or body knows is false or misleading in a material particular; or
  - (b) omits anything without which a statement, information, document or other evidence provided is, to the person's or body's knowledge, misleading in a material particular.

Penalty for this subregulation: a fine of \$2 000.

*[Regulation 6AA inserted: SL 2020/167 r. 9.]*

**6AB. Form of request for cancellation of licence suspension order (Act s. 44A)**

A request under section 44A(1) must be —

- (a) made in a form approved by the Registrar; and
- (b) accompanied by any documentation or evidence required by that form.

*[Regulation 6AB inserted: SL 2020/167 r. 9.]*

**6AC. Maximum number of work and development instruments (Act s. 46D)**

For the purposes of section 46D(2), the maximum number of work and development instruments is 20.

*[Regulation 6AC inserted: SL 2020/167 r. 10.]*

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**6AD. Publishing of guidelines in relation to WDPs (Act s. 46L)**

For the purposes of section 46L(4), guidelines issued under section 46L, and any amendment or revocation of those guidelines, must be published on the Registrar's website.

[Regulation 6AD inserted: SL 2020/167 r. 10.]

**6AE. Rates to be used to assign value to activities (Act s. 46N)**

- (1) The rate to be used to assign a value to each part of an activity undertaken under a WDP of a kind described in Column 1 of the Table is the rate set out opposite the activity in Column 2.

Table

<u>Column 1</u> <u>Activity</u>	<u>Column 2</u> <u>Rate per hour of activity undertaken</u>
<u>Unpaid work</u>	<u>\$50</u>
<u>Medical or mental health treatment</u>	<u>\$70</u>
<u>Educational, vocational or personal development course</u>	<u>\$70</u>
<u>Treatment for an alcohol or drug use problem</u>	<u>\$70</u>
<u>Mentoring programme</u>	<u>\$70</u>

- (2) If an offender undertakes activity under a WDP for a period that is not a whole number of hours, any part-hour undertaken is to be counted as an hour for the purposes of the rates in subregulation (1).

[Regulation 6AE inserted: SL 2020/167 r. 10.]

**6AF. False or misleading information**

An approved sponsor commits an offence if, in compliance or purported compliance with a requirement under the Act, or otherwise in connection with a work and development permit or their approval as an approved sponsor, the approved sponsor —

- (a) provides to the Registrar or the CEO (fines enforcement) any statement, information, document or other evidence that the approved sponsor knows is false or misleading in a material particular; or
- (b) omits anything without which a statement, information, document or other evidence provided to the Registrar or the CEO (fines enforcement) is, to the approved sponsor's knowledge, misleading in a material particular.

Penalty: a fine of \$2 000.

[Regulation 6AF inserted: SL 2020/167 r. 10.]

**6A. Calculation of required hours for WDO (Act s. 50)**

- (1) The required hours in a WDO are to be calculated as —
  - (a) for up to \$300 owed by the offender — 6 hours;
  - (b) for more than \$300 and up to \$600 owed by the offender — 12 hours,

and so on, increasing in units of up to \$300.

[(2) *deleted*]

*[Regulation 6A inserted: Gazette 30 Jun 1995 p. 2637; amended: Gazette 12 Mar 1999 p. 1163; 9 Sep 2005 p. 4156; SL 2020/167 r. 11.]*

**6B. Reductions under Act s. 51, how calculated**

- (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).

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- (2) The amount owed by an offender who is the subject of a WDO, is to be reduced by \$300 for every 6 hours worked, with the reductions to be in units of 6 hours, and where less than \$300 is owed, the offender must perform 6 hours to complete that WDO.

*[Regulation 6B inserted: Gazette 30 Jun 1995 p. 2637; amended: Gazette 12 Mar 1999 p. 1163; 9 Sep 2005 p. 4156.]*

**6BAAA. Daily expiation amount (Act s. 52B)**

For the purposes of the definition of *daily expiation amount* in section 52B, the prescribed amount is \$250.

*[Regulation 6BAAA inserted: SL 2020/167 r. 12.]*

**6BAAB. Form of application for fine expiation order (Act s. 52E)**

An application under section 52E(1) must be —

- (a) made in a form approved by the Registrar; and
- (b) accompanied by any documentation or evidence required by that form.

*[Regulation 6BAAB inserted: SL 2020/167 r. 12.]*

**6BAAC. Application for authorisation under Act s. 52E(4)**

- (1) A person or body may apply to the Registrar to be authorised under section 52E(4) to make applications for fine expiation orders on behalf of offenders.
- (2) An application under subregulation (1) must be —
  - (a) made in a form approved by the Registrar; and
  - (b) accompanied by any documentation or evidence required by that form.

*[Regulation 6BAAC inserted: SL 2020/167 r. 12.]*

**6BAAD. Copies of conditional release undertaking to be given**

The person before whom a conditional release undertaking is entered into by an offender under section 52ZD must give a copy of the completed undertaking, or cause a copy to be given, to —

- (a) the Magistrates Court; and
- (b) the responsible officer (as defined in section 52ZC(2)) in relation to the offender.

*[Regulation 6BAAD inserted: SL 2020/167 r. 12.]*

**6BAA. Amount prescribed for warrant of commitment (Act s. 53(3))**

The amount prescribed for the purposes of section 53(3)(a) is \$250 per day.

*[Regulation 6BAA inserted: Gazette 27 Mar 2008 p. 904.]*

*[6BA. Deleted: SL 2020/167 r. 13.]*

**6C. Reduction of liability to pay fine where WDO taken to be cancelled (Sentencing Act 1995 s. 57B(5))**

- (1) This regulation applies if a WDO has been wholly or partially completed at the time it is to be taken to be cancelled under section 57B(5) of the *Sentencing Act 1995*.
- (2) If the WDO has been wholly completed, the offender's liability to pay the fine is discharged.
- (3) If the WDO has been partially completed, the fine payable by the offender is to be reduced by \$300 for every 6 hours worked.

*[Regulation 6C inserted: Gazette 25 Aug 2000 p. 4908; amended: Gazette 9 Sep 2005 p. 4156.]*

**7. States, Territories and courts prescribed (Act s. 59)**

- (1) A State or a Territory in column 1 of the Table is prescribed as a reciprocating State or Territory (as the case may be) for the purposes of Part 6 of the Act.
- (2) A court of a reciprocating State or a Territory described opposite that State or Territory in column 2 of the Table is prescribed as a reciprocating court for the purposes of Part 6 of the Act.

**Table**

<i>Column 1</i>	<i>Column 2</i>
Australian Capital Territory	Any court of the Magistrates Court of that Territory.
New South Wales	Local Courts in that State.
Northern Territory	Any court of summary jurisdiction of that Territory.
Queensland	All Magistrates Courts.
South Australia	All Magistrates Courts.
Tasmania	All Magistrates Courts.
Victoria	All Magistrates Courts.

*[Regulation 7 amended: Gazette 11 Mar 2008 p. 818.]*

**8. Property prescribed that cannot be seized etc. (Act s. 75)**

- (1) For the purposes of section 75(b), the following wearing apparel and personal items are prescribed —
  - (a) wearing apparel of the debtor to the value of \$1 250;
  - (b) wearing apparel of a dependant of the debtor to the value of \$1 250;
  - (c) family diaries, photographs and portraits;
  - (d) medical and dental aids and equipment.



- (2) For the purposes of section 75(c), the following household property items are prescribed —
- (a) kitchen and dining furniture and implements to the value of \$1 250;
  - (b) bedroom furniture and bedding of the debtor to the value of \$500;
  - (c) bedroom furniture and bedding of a dependant of the debtor to the value of \$200;
  - (d) laundry equipment to the value of \$200;
  - (e) electrical goods used for family entertainment to the value of \$300;
  - (f) books, software, computers and other equipment, used by a dependant of the debtor for educational purposes to the value of \$3 000.
- (3) For the purposes of section 75(d), ordinary tools of trade, plant and equipment, professional instruments and reference books to the value of \$2 500 used by the debtor to earn income by personal exertion are prescribed.

*[Regulation 8 inserted: Gazette 30 Dec 2005 p. 6876-7; amended: Gazette 20 Aug 2013 p. 3881; SL 2020/167 r. 14.]*

**8AA. Protected earnings amount (Act s. 95U)**

- (1) The protected earnings amount for a pay period for the purposes of section 95P is the amount determined by multiplying the weekly protected earnings amount (as determined under this regulation) by the number of weeks in the pay period.
- (2) If the pay period is not a number of whole weeks, the number of weeks in the pay period for the purposes of subregulation (1) is to be determined by dividing the number of days in the pay period by 7 (rounded to 2 decimal places).
- (3) For the purposes of subregulation (1), the weekly protected earnings amount is —

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- (a) for the financial year ending on 30 June 2021 — \$509;  
or
- (b) for any subsequent financial year — an amount in dollars calculated as follows —

$$509 \times \frac{W}{X}$$

where —

**W** is the number published by the Australian Bureau of Statistics as the Wage Price Index, ordinary time hourly rates of pay excluding bonuses for Western Australia (original) (**WPI**) for the last December quarter before the financial year commenced;

**X** is 132.4, being the WPI for the December 2019 quarter.

- (4) An amount calculated under subregulation (3)(b) is to be rounded to the nearest whole number of dollars, with an amount that is 50 cents more than a whole number of dollars being rounded up.
- (5) If the calculation under subregulation (3)(b) cannot be performed in relation to a financial year because the WPI for the relevant quarter was not published, the weekly protected earnings amount for that financial year is the same as for the previous financial year.

*[Regulation 8AA inserted: SL 2020/167 r. 15.]*

**8AB. Maximum administration fee for bank account garnishee order (Act s. 95Z)**

For the purposes of section 95Z, the amount prescribed is \$5.

*[Regulation 8AB inserted: SL 2020/167 r. 15.]*

**8AC. Protected bank account amount (Act s. 95ZB)**

- (1) The protected bank account amount for the purposes of section 95W is —
- (a) for the financial year ending on 30 June 2021 — \$509;  
or
- (b) for any subsequent financial year — an amount in dollars calculated as follows —

$$509 \times \frac{W}{X}$$

where —

W is the number published by the Australian Bureau of Statistics as the Wage Price Index, ordinary time hourly rates of pay excluding bonuses for Western Australia (original) (*WPI*) for the last December quarter before the financial year commenced;

X is 132.4, being the WPI for the December 2019 quarter.

- (2) An amount calculated under subregulation (1)(b) is to be rounded to the nearest whole number of dollars, with an amount that is 50 cents more than a whole number of dollars being rounded up.
- (3) If the calculation under subregulation (1)(b) cannot be performed in relation to a financial year because the WPI for the relevant quarter was not published, the protected bank account amount for that financial year is the same as for the previous financial year.

*[Regulation 8AC inserted: SL 2020/167 r. 15.]*

**8AD. Form of application for refund of money (Act s. 95ZC)**

An application under section 95ZC(1) must be —

- (a) made in a form approved by the Sheriff; and

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- (b) accompanied by any documentation or evidence required by that form.

*[Regulation 8AD inserted: SL 2020/167 r. 15.]*

**8AE. Restrictions on publication of information disclosed under Act s. 100B(3)(a) (Act s. 100F(2)(g))**

- (1) For the purposes of section 100F(2)(g), a person may publish information disclosed to the person under section 100B(3)(a) if the CEO (fines enforcement) has approved of the publication in writing.
- (2) The CEO (fines enforcement) must not give approval under subregulation (1) unless the CEO (fines enforcement) is satisfied that —
  - (a) the research for which the information was disclosed was conducted in a methodologically sound manner; and
  - (b) the information to be published is factually correct; and
  - (c) the information to be published does not identify individuals, reveal confidential information of the department of the Public Service principally assisting the Minister in the administration of the Act, or otherwise pose a security risk to the operations of the department or to any court, corrective facility or person.

*[Regulation 8AE inserted: SL 2020/167 r. 15.]*

**8A. Enforcement proceedings after successful application under Act s. 101, 101AA or 101A**

- (1) If on an application by a person under section 101 the Magistrates Court makes an order cancelling the licence suspension order concerned, the Registrar may again take proceedings under Part 3 of the Act to enforce the infringement notice that gave rise to that licence suspension order, such proceedings to be commenced by issuing a notice of intention to enforce under section 18.

- (2A) If on an application by a person under section 101AA the Magistrates Court makes an order cancelling the enforcement warrant concerned, the Registrar may again take proceedings under Part 3 of the Act to enforce the infringement notice that gave rise to that enforcement warrant, such proceedings to be commenced by issuing a notice of intention to enforce under section 18.
- (2) If on an application by a person under section 101A the Magistrates Court makes an order cancelling the licence suspension order concerned, the Registrar may again take proceedings under Part 4 of the Act to enforce the fine that gave rise to that licence suspension order, such proceedings to be commenced by issuing a notice of intention to enforce under section 42.

*[Regulation 8A inserted: Gazette 5 Jul 1996 p. 3227; amended: Gazette 13 May 2005 p. 2079; 20 Aug 2013 p. 3881.]*

**8B. Enforcement proceedings after an appeal (Act s. 101B)**

- (1) This regulation applies if —
- (a) a person appeals against a fine, or a decision giving rise to a fine (as defined in section 101B(1)); and
  - (b) the fine is still payable after the appeal is disposed of (as defined in section 101B(6)).
- (2) If when the person appealed, a time to pay order was in force and ceased to have effect by reason of section 101B(3)(a), then when the appeal is disposed of the time to pay order has effect again; but for the purposes of the time to pay order the period beginning on the date when the person appealed and ending on the date when the appeal was disposed of is to be disregarded when calculating any time elapsed under the order.
- (3) If when the person appealed, a notice of intention to enforce was cancelled by reason of section 101B(3)(b), then when the appeal is disposed of the Registrar may issue another notice of intention to enforce under section 42.

- (4) If when the person appealed, a licence suspension order was cancelled by reason of section 101B(3)(c), then when the appeal is disposed of the Registrar may issue another notice of intention to enforce under section 42.
- (5) If when the person appealed, an enforcement warrant was cancelled by reason of section 101B(3)(d), then when the appeal is disposed of the Registrar may issue another notice of intention to enforce under section 42.

(5A) If when the person appealed, a work and development permit was cancelled by reason of section 101B(3)(da), then when the appeal is disposed of the Registrar may issue another notice of intention to enforce under section 42.

- (6) If when the person appealed, an order to attend for work and development was cancelled by reason of section 101B(3)(e), then when the appeal is disposed of the Registrar may issue another notice of intention to enforce under section 42.

*[Regulation 8B inserted: Gazette 5 Jul 1996 p. 3227; amended: Gazette 20 Aug 2013 p. 3882; [SL 2020/167 r. 16.](#)]*

**9. Enforcement fees prescribed (Act 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.

*[Regulation 9 inserted: Gazette 13 May 2005 p. 2079-80.]*

**10. Exemptions from fees (Act Part 3)**

The prosecuting authorities specified in the Table are exempted from payment of the fee for registering an infringement notice under Part 3 of the Act.

**Table**

1.	Commissioner of Police
2.	Department of Biodiversity, Conservation and Attractions
3.	Department of Fire and Emergency Services
4.	Department of Health
5.	Department of Justice
6.	Department of Local Government, Sport and Cultural Industries
7.	Department of Mines, Industry Regulation and Safety
8.	Department of Primary Industries and Regional Development
9.	Department of Transport
10.	Department of Water and Environmental Regulation
11.	Gaming and Wagering Commission of Western Australia
12.	Public Transport Authority of Western Australia
13.	Rottnest Island Authority

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14.	The Queen Elizabeth II Medical Centre Trust
15.	Water Corporation
16.	Western Australian Electoral Commission
17.	Zoological Parks Authority

*[Regulation 10 inserted: Gazette 20 Aug 2013 p. 3883-4;  
amended: Gazette 13 Jan 2015 p. 250; SL 2020/167 r. 17.]*

**11A. Giving documents to Registry by means of ECMS**

- (1) Subject to and in accordance with regulations 3AAA(2) and 3AAB, a prosecuting authority may give a document to the Registry or the Registrar by providing, through an officer of the authority who is an approved user, the information required for the completion of the document by means of the ECMS.
- (2) A document given electronically under this regulation that is required to be signed by an officer of the authority giving it is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 if —
  - (a) the ECMS records the identity of the person giving the document; and
  - (b) the name of the person giving the document is stated in the electronic version of the document at any place where the person's signature is required.
- (3) A document given under this regulation is to be taken to have been given at the time and on the day the document is received, regardless of whether the Registry is open for business at that time or on that day.
- (4) If a document sent electronically to the Registry by means of the ECMS is not sent in accordance with the requirements of the ECMS and this regulation the document is to be taken not to have been given.



*[Regulation 11A inserted: Gazette 13 Nov 2015 p. 4657;  
amended Gazette 31 Dec 2019 p. 4672; SL 2020/167 r. 18.]*

**11B. Issuing warrants**

(1) In this regulation —

**warrant** means —

- (a) an enforcement warrant issued under Part 3, 4 or 6 of the Act; or
- (b) a warrant of commitment issued under Part 4 of the Act; or
- (c) an arrest warrant issued under section 52Q(1)(b).

(2) The Registrar may issue an enforcement warrant to the Sheriff by issuing an electronic version of the warrant to the Sheriff by means of the ECMS.

(2A) The Magistrates Court may issue an arrest warrant under section 52Q(1)(b) to all members of the Police Force of Western Australia by issuing an electronic version of the warrant by means of the ECMS to an electronic system maintained by the Commissioner of Police for the management of the functions of the Police Force of Western Australia.

(3) The Magistrates Court may issue a warrant of commitment —

- (a) to all members of the Police Force of Western Australia by issuing an electronic version of the warrant by means of the ECMS to an electronic system maintained by the Commissioner of Police for the management of the functions of the Police Force of Western Australia; and
- (b) to the chief executive officer as defined in the *Prisons Act 1981* by issuing an electronic version of the warrant by means of the ECMS to an electronic system maintained by that chief executive officer for the management of the functions of the department of the Government principally assisting the Minister with the administration of that Act.

**r. 11C**

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- (4) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10, a warrant that must be signed by the Registrar or a magistrate is authenticated if —
- (a) the Registrar or magistrate issues the warrant in an electronic form by means of the ECMS; and
  - (b) the electronic document identifies the Registrar or magistrate as the person who issued it.
- (4A) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 11, the requirement for the Sheriff to note the date and time on an enforcement warrant when it is received under section 68 of the Act is to be taken to be satisfied if —
- (a) the Registrar issues the enforcement warrant to the Sheriff in an electronic form by means of the ECMS; and
  - (b) the record of the date and time of the Sheriff's receipt of the electronic form is incorporated electronically in, or associated electronically with, the electronic form by means of the ECMS.
- (5) A warrant issued under this regulation is to be taken to have been issued at the time and on the day when the whole warrant is available to a user of the system to which it is issued.

*[Regulation 11B inserted: Gazette 13 Nov 2015 p. 4658; amended: Gazette 16 Jul 2019 p. 2819-20; 31 Dec 2019 p. 4672; SL 2020/167 r. 19.]*

**11C. Issuing summons under Act s. 52Q**

- (1) The Magistrates Court may issue a summons under section 52Q(1)(a) or (2) in an electronic form by recording the information required to be included in the summons electronically by means of the ECMS.

- (2) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10, a summons issued under section 52Q(1)(a) or (2) is authenticated if —
- (a) the magistrate issues the summons in an electronic form by means of the ECMS; and
  - (b) the electronic document identifies the magistrate as the person who issued it.
- (3) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 13, a copy of a summons issued in accordance with subregulation (1) may be produced from the electronic version of the summons by printing out a copy of the electronic version.

*[Regulation 11C inserted: SL 2020/167 r. 20.]*

**11D. Issuing orders, permits and notices**

- (1) An order, permit or notice that may be issued or made under the Act by the Registrar, the CEO (corrections) or the Sheriff may be issued or made in an electronic form by recording the information required to be included in the order, permit or notice electronically by means of the ECMS.
- (2) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 13, a copy of an order, permit or notice issued in accordance with subregulation (1) may be produced from the electronic version of the order, permit or notice by printing out a copy of the electronic version.

*[Regulation 11D inserted: SL 2020/167 r. 20.]*

**11. Methods of payment**

Under the Act, modified penalties, fines and enforcement fees may be paid by cash, cheque, money order or credit card, by direct debit from a bank account or credit card, or by using a bill payment system approved by the Registrar.

*[Regulation 11 amended: Gazette 20 Aug 2013 p. 3884.]*

r. 12

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**12. Forms**

The forms in Schedule 3 are prescribed in relation to the matters specified in the forms.

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

[r. 3]

[Heading inserted: Gazette 13 May 2005 p. 2080.]

<b>Act</b>	<b>section(s)</b>
<i>Animal Welfare Act 2002</i>	
<i>Associations Incorporation Act 2015</i>	
<i>Biodiversity Conservation Act 2016</i>	
<i>Biosecurity and Agriculture Management Act 2007</i>	
<i>Botanic Gardens and Parks Authority Act 1998</i>	
<i>Building Act 2011</i>	
<i>Building Services (Complaint Resolution and Administration) Act 2011</i>	
<i>Building Services (Registration) Act 2011</i>	
<i>Bush Fires Act 1954</i>	59A
<i>Business Names Act 1962</i>	
<i>Caravan Parks and Camping Grounds Act 1995</i>	23
<i>Casino (Burswood Island) Agreement Act 1985</i>	
<i>Casino Control Act 1984</i>	
<i>Cat Act 2011</i>	
<i>Cemeteries Act 1986</i>	63
<i>Charitable Collections Act 1946</i>	
<i>Chattel Securities Act 1987</i>	
<i>Classification (Publications, Films and Computer Games) Enforcement Act 1996</i> <sup>11</sup>	
<i>Conservation and Land Management Act 1984</i>	
<i>Control of Vehicles (Off-road Areas) Act 1978</i>	37
<i>Credit Act 1984</i>	

**Fines, Penalties and Infringement Notices Enforcement Regulations 1994**  
**Schedule 1** Enactments to which Part 3 of the Act applies

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<b>Act</b>	<b>section(s)</b>
<i>Credit (Administration) Act 1984</i>	
<i>Curtin University Act 1966</i> <sup>12</sup>	20A
<i>Dangerous Goods Safety Act 2004</i>	
<i>Debt Collectors Licensing Act 1964</i>	
<i>Dog Act 1976</i>	45A
<i>Edith Cowan University Act 1984</i>	29
<i>Electoral Act 1907</i>	156
<i>Electricity Act 1945</i>	
<i>Emergency Management Act 2005</i>	
<i>Employment Agents Act 1976</i>	
<i>Energy Coordination Act 1994</i>	
<i>Energy Safety Act 2006</i>	
<i>Environmental Protection Act 1986</i>	
<i>Fair Trading Act 2010</i>	
<i>Fish Resources Management Act 1994</i>	
<i>Food Act 2008</i>	
<i>Gaming and Wagering Commission Act 1987</i>	
<i>Gas Standards Act 1972</i>	
<i>Government Railways Act 1904</i>	53A
<i>Health (Miscellaneous Provisions) Act 1911</i>	
<i>Health Services Act 2016</i>	
<i>Hire-Purchase Act 1959</i>	
<i>Home Building Contracts Act 1991</i>	
<i>Juries Act 1957</i>	
<i>Land Administration Act 1997</i>	
<i>Land Valuers Licensing Act 1978</i>	

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<b>Act</b>	<b>section(s)</b>
<i>Limited Partnerships Act 2016</i>	
<i>Liquor Control Act 1988</i>	167
<i>Litter Act 1979</i>	30
<i>Local Government Act 1995</i>	
<i>Local Government (Miscellaneous Provisions) Act 1960</i>	
<i>Mining Rehabilitation Fund Act 2012</i>	
<i>Motor Vehicle Dealers Act 1973</i>	
<i>Motor Vehicle Repairers Act 2003</i>	
<i>Murdoch University Act 1973</i>	24
<i>Pawnbrokers and Second-hand Dealers Act 1994</i>	
<i>Perth Parking Management Act 1999</i>	
<i>Petroleum Products Pricing Act 1983</i>	
<i>Planning and Development Act 2005</i>	
<i>Plumbers Licensing Act 1995</i>	
<i>Port Authorities Act 1999</i>	
<i>Public Health Act 2016</i>	
<i>Public Transport Authority Act 2003</i>	
<i>Queen Elizabeth II Medical Centre Act 1966</i>	20
<i>Real Estate and Business Agents Act 1978</i>	
<i>Residential Tenancies Act 1987</i>	
<i>Retail Trading Hours Act 1987</i>	
<i>Rights in Water and Irrigation Act 1914</i>	
<i>Road Traffic (Administration) Act 2008</i>	79
<i>Rottneet Island Authority Act 1987</i>	
<i>Security and Related Activities (Control) Act 1996</i>	
<i>Settlement Agents Act 1981</i>	

<b>Act</b>	<b>section(s)</b>
<i>Street Collections (Regulation) Act 1940</i>	
<i>Sunday Entertainments Act 1979</i>	
<i>Swan and Canning Rivers Management Act 2006</i>	
<i>The Criminal Code</i>	
<i>Tobacco Products Control Act 2006</i>	
<i>Transport Co-ordination Act 1966</i>	58A
<i>Transport (Road Passenger Services) Act 2018</i>	
<i>University of Western Australia Act 1911</i>	16A
<i>Water Agencies (Powers) Act 1984</i>	103
<i>Water Services Act 2012</i>	
<i>Waterways Conservation Act 1976</i>	
<i>Western Australian Marine Act 1982</i>	132
<i>Western Australian Meat Industry Authority Act 1976</i>	
<i>Zoological Parks Authority Act 2001</i>	
<i>[Schedule 1 amended: Gazette 30 Jun 1995 p. 2637 and 2643; 19 Jul 1996 p. 3458; 1 Aug 1997 p. 4394; 23 Jan 1998 p. 408; 8 Dec 1998 p. 6574; 2 Jul 1999 p. 2919; 31 Dec 1999 p. 7076; 27 Aug 2002 p. 4354; 12 Dec 2003 p. 5037; 4 Jun 2004 p. 1933; 13 May 2005 p. 2080; 14 Jul 2006 p. 2564; 18 May 2007 p. 2257; 11 Mar 2008 p. 818-19; 23 Jun 2009 p. 2466; 29 Jan 2010 p. 200; 25 Jun 2010 p. 2869; 17 Sep 2010 p. 4759; 17 Jun 2011 p. 2169; 13 Dec 2011 p. 5282; 16 Mar 2012 p. 1256; 23 Mar 2012 p. 1370; 8 Jun 2012 p. 2386; 5 Feb 2013 p. 836; 10 May 2013 p. 1937; 20 Aug 2013 p. 3884; 20 Jun 2014 p. 2026; 10 Feb 2015 p. 611; 3 Mar 2015 p. 784; 12 Jun 2015 p. 2027; 28 Jun 2016 p. 2643; 9 Aug 2016 p. 3428; 30 Dec 2016 p. 5966; 10 Jan 2017 p. 175; 24 Jan 2017 p. 745; 4 Aug 2017 p. 4314; 14 Sep 2018 p. 3315; 12 Feb 2019 p. 266; 28 Jun 2019 p. 2490; SL 2020/32 r. 6; SL 2020/167 r. 21.]</i>	



## **Schedule 2 — Enforcement fees**

[r. 9]

*[Heading inserted: SL 2020/124 r. 14.]*

### **Division 1 — Enforcement fees for Part 3 of the Act**

*[Heading inserted: SL 2020/124 r. 14.]*

1. Fee for issuing a final demand  
(To be imposed when the final demand is issued.) \$24.10
2. Fee for preparing an enforcement certificate in relation to an infringement notice, for each infringement notice  
(To be imposed when the infringement notice is registered.) \$20.50
3. Fee for registering an infringement notice with the Registry  
(To be imposed when the notice is registered.) \$77.00
4. Fee for issuing a notice of intention to enforce  
(To be imposed when a licence suspension order is made or when an enforcement warrant is issued, but not twice.) \$51.00
5. Fee for issuing an enforcement warrant  
(To be imposed when the warrant is issued.) \$240.00

*[Division 1 inserted: SL 2020/124 r. 14.]*

### **Division 2 — Enforcement fees for Part 4 of the Act**

*[Heading inserted: SL 2020/124 r. 14.]*

1. Fee for issuing a notice of intention to enforce  
(To be imposed when a licence suspension order is made or when an enforcement warrant is issued, but not twice.) \$51.00
2. Fee for issuing an enforcement warrant  
(To be imposed when the warrant is issued.) \$240.00

**Fines, Penalties and Infringement Notices Enforcement Regulations 1994**

**Schedule 2** Enforcement fees

**Division 3** Enforcement fees for Part 7 of the Act

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3. Fee for the service of a summons under Part 4  
Division 3E Subdivision 3 of the Act \$93.00

(To be imposed on an attempt at service, whether or not the service is successful. The fee covers up to 3 attempts at service at the same address.)

4. If it is necessary to travel to serve a summons referred to in item 3, from the office of the person serving the summons or the nearest police station, in addition to the fee in item 3 —

(a) fee for each kilometre travelled (1 way) in the metropolitan region (as defined in the Planning and Development Act 2005 section 4(1)) \$2.40

(b) fee for each kilometre travelled (1 way) outside the metropolitan region (as defined in the Planning and Development Act 2005 section 4(1)) \$2.65

(To be imposed on service of the summons and on each attempt at service. If more than 1 document is served or attempted to be served at the same time on the same person, only 1 fee for kilometres travelled is chargeable.)

*[Division 2 inserted: SL 2020/124 r. 14; amended SL 2020/167 r. 22(1).]*

**Division 3 — Enforcement fees for Part 7 of the Act**

*[Heading inserted: SL 2020/124 r. 14.]*

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 \$106.00

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 \$71.50

[4, 5. *deleted*]

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 \$253.00
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 \$114.00
11. Fee for preparing and executing a transfer of land sold \$253.00
12. Fee for attending a court in connection with interpleader proceedings, for each half hour or part of a half hour \$36.20
13. If the Sheriff or a delegate of the Sheriff is necessarily put to extra trouble and expense in connection with executing an enforcement warrant 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, 1 way, that is prescribed as a travelling fee for the service of documents in the *Magistrates Court (Fees) Regulations 2005*.

[Division 3 inserted: SL 2020/124 r. 14; amended SL 2020/167 r. 22(2).]

**Form 1**

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**Schedule 3 — Forms**

[r. 12]

*[Heading inserted: Gazette 13 May 2005 p. 2081.]*

**1. Notice of withdrawal for the purposes of Act s. 22**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
[Section 22]

**NOTICE OF WITHDRAWAL OF PROCEEDINGS UNDER PART 3**

**To:**

**Alleged offender** .....

**Address** .....

.....  
.....

**Copy to:** Registrar of Fines Enforcement Registry

**Details of infringement notice and alleged offence**

Prosecuting authority: .....

Number of notice: .....

Date of issue: ..... Time of issue: .....

Alleged offence: .....

.....  
.....

**Fines Enforcement Registry details**

FER case no.: .....

Take notice that the above prosecuting authority hereby withdraws proceedings under the *Fines, Penalties and Infringement Notices Enforcement Act 1994* section 22 in relation to the infringement notice issued for the above offence.

.....  
.....

Prosecuting officer

Date

*[Form 1 inserted: Gazette 20 Aug 2013 p. 3886.]*

**2. Enforcement warrant for the purposes of Act s. 21A and 45 and Part 5**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
 [Sections 21A and 45 and Part 5]

Magistrates Court  
 Fines Enforcement Registry

Warrant no.
ACN.
Case no.

**ENFORCEMENT WARRANT**

To: The Sheriff of Western Australia

<b>Debtor</b>	Name:	
	Address:	
	Date of Birth:	
	MDL no.:	MVL no.:
<b>Case details</b>  [Complete relevant details only]	<b>For enforcement warrant issued under s. 21A</b>	<b>For enforcement warrant issued under s. 45</b>
	Prosecuting authority:	Court:
	Infringement notice no.:	Nature of court order:
	Alleged offence:	Date of court order:
	Place of alleged offence:	Charge no.:
	Date of alleged offence:	Offence:
		Date of offence:
<b>Amount owed</b>	Modified penalty OR fine/forfeited amount:	
	Costs:	+
	Enforcement fees under Part 3 or 4:	+
	Sub-total:	=
	Less amount paid:	-
	AMOUNT OWED:	=

The above infringement notice or court order has been registered with the Fines Enforcement Registry for enforcement. As a result, the debtor is required to pay the AMOUNT OWED, which to date is unpaid.

You are authorised by this warrant to exercise the powers conferred by the *Fines, Penalties and Infringement Notices Enforcement Act 1994* Part 7, which include powers to do the following:

**Form 2A**

affix a warning notice to any vehicle of the debtor, immobilise any vehicle of the debtor, remove number plates from any vehicle of the debtor, seize and sell so much of the debtor's personal property and land as is necessary to recover the amount owed and any enforcement fees, enter places for the purposes of exercising those powers, and issue a garnishee order on earnings or a bank account garnishee order in respect of the debtor and the amount owed and any enforcement fees.

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

.....  
**REGISTRAR**

.....  
**DATE**

*[Form 2 inserted: Gazette 20 Aug 2013 p. 3887-8; amended SL 2020/167 r. 23.]*

**2A. Summons to offender/liable person to appear at warrant of commitment inquiry for the purposes of Act s. 52Q(1)(a) and 52U and Part 5**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
 [Sections 52Q(1)(a) and 52U and Part 5]

Magistrates Court At:		Number:	<b>Summons to give oral evidence and/or produce a record or thing</b>
To:	[Full name and address]		
Offender's /liable person's date of birth			
Warrant of commitment inquiry details	Fine/s or other amount/s to which inquiry relates		
<b>Time and place of warrant of commitment inquiry</b>	Date: Court: Place:	Time:	

<p><b>Command</b> (delete as appropriate)</p>	<p><b>[You are commanded to attend personally at the warrant of commitment inquiry at the time and place specified above to give oral evidence for the purpose of the inquiry.] / [You are commanded to attend personally at the warrant of commitment inquiry at the time and place specified above to produce the records or things described below.] / [You are commanded to attend personally at the warrant of commitment inquiry at the time and place specified above to give oral evidence for the purpose of the inquiry and to produce the records or things described below.]</b> You must attend at the Court until you are released by the Court, not only on the above date but also on subsequent days.</p>
<p><b>Records or things to be produced</b> (delete if not required)</p>	<p>You must produce to the Court the following: <i>[Describe in reasonable detail each record or thing to be produced, on an attachment if necessary.]</i></p>
<p><b>Warning</b></p>	<p><b>If you do not obey this summons you may be arrested.</b></p>
<p>Date summons issued</p>	<p>This summons is issued by the Court on <i>[date]</i>.</p>
<p>Signature of issuing magistrate</p>	
<p>Service details (delete as appropriate)</p>	<p>I served a copy of this summons <i>[personally]</i> / <i>[orally]</i> / <i>[insert substituted service method]</i> on <i>[insert person's name]</i> at <i>[place]</i> on <i>[date]</i>.</p>
<p><i>[*Police only]</i></p>	<p>Name of server: _____ *Registered No: _____ Signature: _____ *Station: _____</p>
<p>Notice</p>	<p>A warrant of commitment inquiry is an inquiry conducted before the Magistrates Court to determine if you have the means to pay the fine/s or other amount/s referred to above, your suitability for a work and development order, whether you have contravened previous orders and the appropriate enforcement action that should be taken.</p> <p>At a warrant of commitment inquiry the Magistrates Court may issue a warrant of commitment committing you to be imprisoned. The Court may also make other orders,</p>

**Form 2B**

	<p>including that a time to pay order or work and development order should be issued or an order writing off all or part of the fine/s or other amount/s.</p> <p>You may apply to the Registrar for a time to pay order in respect of the fine/s or other amount/s referred to above. If the Registrar makes a time to pay order, the Registrar must, as soon as practicable, withdraw their application for a warrant of commitment inquiry in relation to the fine or other amount. The Registrar may also withdraw their application for other reasons under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> section 52ZI. You will be notified if the Registrar withdraws the application, in which case this summons ceases to have effect.</p> <p>If you wish to apply for a time to pay order contact the Fines Enforcement Registry via:  <i>[insert contact details]</i></p> <p>More information on making an application for a time to pay order can be found on the Fines Enforcement Registry website: <i>[insert website details]</i></p>
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*[Form 2A inserted: SL 2020/167 r. 24.]*

**2B. Summons to person named under Act s. 52O(1)(c) to appear at warrant of commitment inquiry for the purposes of Act s. 52Q(2) and 52U and Part 5**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
 [Sections 52Q(2) and 52U and Part 5]

Magistrates Court		<b>Summons to give oral evidence and/or produce a record or thing</b>
At:	Number:	
To:	<i>[Full name and address]</i>	
Warrant of commitment inquiry details	Offender's/liable person's full name	
	Offender's/liable person's address	
	Offender's/liable person's date of birth	



	Fine/s or other amount/s to which inquiry relates	
<b>Time and place of warrant of commitment inquiry</b>	Date: Court: Place:	Time:
<b>Command</b> <i>(delete as appropriate)</i>	<p><b>[You are commanded to attend personally at the warrant of commitment inquiry at the time and place specified above to give oral evidence for the purpose of the inquiry.] / [You are commanded to attend personally at the warrant of commitment inquiry at the time and place specified above to produce the records or things described below.] / [You are commanded to attend personally at the warrant of commitment inquiry at the time and place specified above to give oral evidence for the purpose of the inquiry and to produce the records or things described below.]</b></p> <p>You must attend at the Court until you are released by the Court, not only on the above date but also on subsequent days.</p>	
<b>Records or things to be produced</b> <i>(delete if not required)</i>	<p>You must produce to the Court the following: <i>[Describe in reasonable detail each record or thing to be produced, on an attachment if necessary.]</i></p>	
Date summons issued	This summons is issued by the Court on <i>[date]</i> .	
Signature of issuing magistrate		
Service details <i>[delete as appropriate]</i>	<p>I served a copy of this summons <i>[personally]</i> / <i>[orally]</i> / <i>[insert substituted service method]</i> on <i>[insert person's name]</i> at <i>[place]</i> on <i>[date]</i>.</p>	
<i>[*Police only]</i>	<p>Name of server: _____</p> <p>Signature: _____</p>	<p>*Registered No: _____</p> <p>*Station: _____</p>
Notice	A warrant of commitment inquiry is an inquiry conducted before the Magistrates Court to determine if the	

**Form 2C**

	<p>offender/liable person has the means to pay the fine/s or other amount/s referred to above, the offender's/liable person's suitability for a work and development order, whether the offender/liable person has contravened previous orders and the appropriate enforcement action that should be taken.</p> <p>At a warrant of commitment inquiry the Magistrates Court may issue a warrant of commitment committing the offender/liable person to be imprisoned. The Court may also make other orders, including that a time to pay order or work and development order should be issued or an order writing off all or part of the fine/s or other amount/s.</p> <p>The Registrar may withdraw their application for a warrant of commitment inquiry in relation to the fine or other amount. You will be notified if the Registrar withdraws the application, in which case this summons ceases to have effect.</p>
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*[Form 2B inserted: SL 2020/167 r. 24.]*

**2C. Arrest warrant for the purposes of Act s. 52Q(1)(b) and 52Y and Part 5**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
 [Sections 52Q(1)(b) and 52Y and Part 5]

Western Australia		<b>Arrest warrant for appearance at</b>	
Magistrates Court at:		<b>warrant of commitment inquiry</b>	
No:		Warrant No.	
<b>To</b>	<b>All members of the Police Force</b>		
Person to be arrested	Full name		
	Date of birth		Male/Female
	Address		
Fine/s or other amount/s to which warrant of commitment inquiry relates			

<p><b>Command</b></p>	<p><b>This warrant authorises and commands you to arrest the above person and bring the person before the Magistrates Court.</b></p> <p><b>When arrested the person must be brought before the Magistrates Court for the warrant of commitment inquiry immediately after the arrest if it is practicable to do so and in any case, subject to the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> section 52ZB, as soon as practicable after the arrest.</b></p> <p><b>The person may be brought before the Magistrates Court at any place where it is sitting and either in person or, subject to the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> section 52ZJ, by means of a video link or audio link.</b></p>		
<p>Signature of issuing magistrate</p>		<p>Date</p>	
<p>Execution details</p>	<p>Person arrested on <i>[date]</i> at <i>[time]</i> at <i>[location]</i></p> <p>by: Registered No:</p> <p>of: Station:</p> <p>Signature: Date:</p>		
<p>Notice to arresting officer</p>	<p>If it is not practicable to bring an arrested person before the Magistrates Court immediately after the arrest, you must as soon as practicable, consider whether the person should be released, and you may release the person (subject to the person entering into a conditional release undertaking for the person's appearance at the warrant of commitment inquiry).</p> <p>In addition, you must release an arrested person if the person has been in custody under the warrant for 24 hours or if it becomes apparent that it is not practicable to bring the person before the Court within 24 hours after the arrest (subject to the person entering into a conditional release undertaking for the person's appearance at the warrant of commitment inquiry).</p> <p>It is an offence to fail, wilfully and without reasonable excuse, to perform any of the above duties. The maximum penalty for the offence is imprisonment for 12 months or a fine of \$1 000, or both.</p> <p>If it is not practicable for you to perform any of the above duties, you must request an authorised police officer to</p>		

**Form 2D**

	perform them. Additionally, if you are not an authorised police officer, you may request an authorised police officer to perform the above duties.
Notice to arrested person	<p>A warrant of commitment inquiry is an inquiry conducted before the Magistrates Court to determine if you have the means to pay the fine/s or other amount/s referred to above, your suitability for a work and development order, whether you have contravened previous orders and the appropriate enforcement action that should be taken.</p> <p>At a warrant of commitment inquiry the Magistrates Court may issue a warrant of commitment committing you to be imprisoned. The Court may also make other orders, including that a time to pay order or work and development order should be issued or an order writing off all or part of the fine/s or other amount/s.</p>

[Form 2C inserted: SL 2020/167 r. 24.]

**2D. Conditional release undertaking for the purposes of Act s. 52ZD and Part 5**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
 [Section 52ZD and Part 5]

**CONDITIONAL RELEASE UNDERTAKING**

**Details of offender/liable person:**

Surname: ..... Other names: .....

Date of birth: .....

Address: .....

Telephone No: ..... Fax No: .....

Mobile No: .....

Email address: .....

You may be sent electronic notifications in relation to court appearances mentioned in this form. If you do not wish to receive electronic notifications, please tick the box below.

I do not wish to receive electronic notifications.

Fine/s or other amount/s to which warrant of commitment inquiry relates:

.....  
.....

Time and place of appearance for warrant of commitment inquiry:

.....

(name and location of Court)

on ..... day the ..... day of ..... 20..... at.....am/pm

**UNDERTAKING**

I, the person named above —

UNDERTAKE —

- (a) to appear in the Magistrates Court for a warrant of commitment inquiry at the time and place set out above; and
- (b) that if a different time and place has been substituted by notice served personally on me, I will appear at that substituted time and place; and
- (c) that if I fail to appear in the Court as required I will as soon as practicable appear in the Court at that place when the Court is sitting.

**NOTICE**

Under this undertaking, you must appear in the Magistrates Court for the warrant of commitment inquiry at the time and place specified in the undertaking or, if a different time and place has been substituted by notice served personally on you, at that substituted time and place.

If you, without reasonable excuse, fail to comply with that obligation, you commit an offence, the maximum penalty for which is a fine of \$2 000.

If you fail to appear in the Court at the time and place referred to above, you must, as soon as practicable, appear in the Court at that place when the Court is sitting.

If you fail to comply with that obligation, you commit an offence, the maximum penalty for which is a fine of \$2 000.

In addition, if you fail to comply with the requirements of your

**Form 2E**

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undertaking, a warrant for your arrest may be issued.

**CERTIFICATE AS TO UNDERTAKING**

(1) Delete as appropriate

The above undertaking was entered into by the person named above before me, a person before whom a conditional release undertaking may be entered into under the *Fines, Penalties and Infringement Notices Enforcement Act 1994* section 52ZD(3), after I had <sup>(1)</sup> [read the undertaking to the person named above]/[been informed by the person named above that they had read the undertaking]/[had the undertaking translated to the person named above]/[provided the person named above with a written translation of the undertaking].

Signature:..... Date: .....

Official designation: .....

I acknowledge that I have been given a copy of the above conditional release undertaking.

.....  
OFFENDER/LIABLE PERSON

[Form 2D inserted: SL 2020/167 r. 24.]

**2E. Certificate that offender/liable person has a right to be released for the purposes of Act s. 52ZF(c) and Part 5**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
[Section 52ZF(c) and Part 5]

**CERTIFICATE TO AUTHORISE RELEASE**

**Details of offender/liable person:**

Surname:..... Other names: .....

Date of birth:.....

Address: .....

Telephone No: ..... Fax No: .....

Mobile No:.....

Email address:.....

Date conditional release undertaking entered into:.....

I, the person before whom the conditional release undertaking referred to above was entered into, certify for the purposes of the *Fines, Penalties and Infringement Notices Enforcement Act 1994* section 52ZF(c) that the person named above has a right to be released.

Signature: ..... Name: .....

Official designation: .....

*[Form 2E inserted: SL 2020/167 r. 24.]*

**3. Warrant of commitment for the purposes of Act s. 52S(4) and Part 5**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
[Section 52S(4) and Part 5]

The Magistrates Court

**WARRANT OF COMMITMENT**

Warrant No.
Period of Imprisonment
Days Conc.

To: All members of the Police Force of Western Australia  
The chief executive officer as defined in 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:

**Form 3**

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The above court made the above order and the matter has been registered with the Fines Enforcement 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.

The Magistrates Court has held a warrant of commitment inquiry and has made an order under the *Fines, Penalties and Infringement Notices Enforcement Act 1994* section 52S(1)(e) that this warrant of commitment should be issued.

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 AUTHORISED AND COMMANDED BY THIS WARRANT to arrest the offender/liable person 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 CONCURRENT with any term or period of imprisonment that the offender/liable person has to serve.

Warrant issued by	Signature:  Magistrate:	Date:
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DETAILS OF		
PAYMENT DETAILS	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:

*[Form 3 inserted: Gazette 30 Jun 1995 p. 2639; amended: Gazette 13 May 2005 p. 2082; 4 Jul 2008 p. 3171; SL 2020/167 r. 25.]*



**4. Enforcement warrant for the purposes of Act s. 61**

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

The Magistrates Court

Warrant No.
ACN No.
Case No.

**ENFORCEMENT WARRANT**

Fines Enforcement  
Registry

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 authorised by this warrant to exercise the powers conferred by the *Fines, Penalties and Infringement Notices Enforcement Act 1994* Part 7 (other than Divisions 6A and 6B), which include powers to seize and sell so much of the offender's personal property and land as is necessary to recover the amount outstanding and any enforcement fees, and to enter places for the purposes of exercising those powers.

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

**REGISTRAR**

**DATE**

*[Form 4 inserted: Gazette 30 Jun 1995 p. 2640; amended: Gazette 13 May 2005 p. 2082; 20 Aug 2013 p. 3888; SL 2020/167 r. 26.]*

*[Form 5 deleted: Gazette 30 Jun 1995 p. 2638.]*

*[Form 6 deleted: Gazette 20 Aug 2013 p. 3888.]*

**Form 6A**

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**6A. Memorial of land for the purposes of Act s. 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.
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The Magistrates Court  
Fines Enforcement  
Registry

**MEMORIAL**

Description of land	Extent	Volume	Folio
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Registered proprietor of land

<input type="text"/>
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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	20
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..... Sheriff
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*[Form 6A inserted: Gazette 30 Jun 1995 p. 2641; amended: Gazette 13 May 2005 p. 2082.]*

**6B. Withdrawal of memorial of land for the purposes of Act s. 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.

The Magistrates Court  
Fines Enforcement  
Registry

**WITHDRAWAL OF MEMORIAL**

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          20

.....  
Sheriff

*[Form 6B inserted: Gazette 30 Jun 1995 p. 2642; amended: Gazette 13 May 2005 p. 2082.]*

*[Form 7 deleted: Gazette 4 Oct 1996 p. 5233.]*

**Form 8**

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**8. Certificate under Act s. 101C(1): Part 3 proceedings**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
[Section 101C(1)]

**CERTIFICATE AS TO LICENCE SUSPENSION ORDER**

Alleged offender:

Address:

In relation to this alleged offender the following matters are certified as being true and correct:

*[Strike out any that do not apply.]*

1. On *[date]* an infringement notice was issued by *[prosecuting authority]* to the alleged offender for the alleged offence of *[description of alleged offence]*.  
The modified penalty on the infringement notice is *[\$]*.
2. On *[date]* the infringement notice was registered under Part 3 of the Act with the Fines Enforcement Registry for enforcement and was allocated case number *[no.]*.
3. An order to pay or elect was issued under section 17 of the Act and was served on the alleged offender by *[details of service]*.
4. A notice of intention to enforce was issued under section 18 of the Act and was served on the alleged offender by *[details of service]*.
5. A licence suspension order suspending the alleged offender's:  
 driver's licence number *[no.]*  
 vehicle licence for the vehicle registered number *[no.]*  
was made at *[time]* on *[date]* under section 19 of the Act.
6. A notice confirming licence suspension was issued under section 19 of the Act and was served on the alleged offender by *[details of service]*.

7. As at the time of issuing this certificate the licence suspension order has not been cancelled.

OR

The licence suspension order was cancelled at [time] on [date].

Date of this certificate:

Time:

[Signature]

REGISTRAR

[Form 8 inserted: Gazette 20 Aug 2013 p. 3889-90.]

**9. Certificate under Act s. 101C(1): Part 4 proceedings**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*

[Section 101C(1)]

**CERTIFICATE AS TO LICENCE SUSPENSION ORDER**

Offender:

Address:

In relation to this offender the following matters are certified as being true and correct:

[Strike out any that do not apply.]

1. On [date] the [court] at [place] imposed a fine on the offender for the offence of [description of offence].

The amount of the fine (as defined in section 28(1) of the Act) is [\$].

2. On [date] the fine was registered under Part 4 of the Act with the Fines Enforcement Registry for enforcement and was allocated case number [no.].

3. A notice of intention to enforce was issued under section 42 of the Act and was served on the offender by [details of service].

4. A licence suspension order suspending the offender's:

driver's licence number [no.]

vehicle licence for the vehicle registered number [no.]

was made at [time] on [date] under section 43 of the Act.

**Form 10**

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5. A notice confirming licence suspension was issued under section 43 of the Act and was served on the offender by *[details of service]*.
6. As at the time of issuing this certificate the licence suspension order has not been cancelled.

OR

The licence suspension order was cancelled at *[time]* on *[date]*.

Date of this certificate:

Time:

*[Signature]*

REGISTRAR

*[Form 9 inserted: Gazette 20 Aug 2013 p. 3890-1.]*

**10. Certificate under Act s. 101C(2A): Part 3 proceedings**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
[Section 101C(2A)]

**CERTIFICATE AS TO VEHICLE LICENCE SUSPENSION AND  
DISQUALIFICATION ORDER/ VEHICLE LICENCE CANCELLATION  
AND DISQUALIFICATION ORDER**

Alleged offender:

Address:

In relation to this alleged offender the following matters are certified as being true and correct:

*[Strike out any that do not apply.]*

1. On *[date]* an infringement notice was issued by *[prosecuting authority]* to the alleged offender for the alleged offence of *[description of alleged offence]*.  
The modified penalty on the infringement notice is *[\$]*.
2. On *[date]* the infringement notice was registered under Part 3 of the Act with the Fines Enforcement Registry for enforcement and was allocated case number *[no.]*.
3. A vehicle licence suspension and disqualification order disqualifying the alleged offender from holding or obtaining a vehicle licence for the vehicle that had number plates *[no.]* (and, if a vehicle licence was in force in relation to the vehicle when the order was made,

suspending the licence) was made on *[date]* under section 95G of the Act and took effect at *[time]* on that day. A notice confirming that the alleged offender was disqualified from holding or obtaining a vehicle licence (and, if the vehicle was licensed, that the vehicle licence has been suspended) was affixed to the vehicle.

4. As at the time of issuing this certificate the vehicle licence suspension and disqualification order has not been cancelled.

OR

The vehicle licence suspension and disqualification order was cancelled at *[time]* on *[date]*.

5. A vehicle licence cancellation and disqualification order disqualifying the alleged offender from holding or obtaining a vehicle licence for the vehicle that had number plates *[no.]* (and, if the vehicle was licensed when the order was made, cancelling the licence) was made under section 95J of the Act on *[date]* at *[time]*.
6. A copy of the vehicle licence cancellation and disqualification order was served on the alleged offender by *[details of service]*.
7. As at the time of issuing this certificate the vehicle licence cancellation and disqualification order has not been cancelled.

OR

The vehicle licence cancellation and disqualification order was cancelled to the extent that it disqualifies the alleged offender from holding or obtaining a vehicle licence at *[time]* on *[date]*.

Date of this certificate:

Time:

*[Signature]*

SHERIFF

*[Form 10 inserted: SL 2020/167 r. 27.]*

**Form 11**

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**11. Certificate under Act s. 101C(2A): Part 4 proceedings**

*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
[Section 101C(2A)]

**CERTIFICATE AS TO VEHICLE LICENCE SUSPENSION AND  
DISQUALIFICATION ORDER/ VEHICLE LICENCE CANCELLATION  
AND DISQUALIFICATION ORDER**

Offender:

Address:

In relation to this offender the following matters are certified as being true and correct:

*[Strike out any that do not apply.]*

1. On *[date]* the *[court]* at *[place]* imposed a fine on the offender for the offence of *[description of offence]*.  
The amount of the fine (as defined in section 28(1) of the Act) is *[\$]*.
2. On *[date]* the fine was registered under Part 4 of the Act with the Fines Enforcement Registry for enforcement and was allocated case number *[no.]*.
3. A vehicle licence suspension and disqualification order disqualifying the offender from holding or obtaining a vehicle licence for the vehicle that had number plates *[no.]* (and, if a vehicle licence was in force in relation to the vehicle when the order was made, suspending the licence) was made on *[date]* under section 95G of the Act and took effect at *[time]* on that day. A notice confirming that the offender was disqualified from holding or obtaining a vehicle licence (and, if the vehicle was licensed, that the vehicle licence has been suspended) was affixed to the vehicle.
4. As at the time of issuing this certificate the vehicle licence suspension and disqualification order has not been cancelled.

OR

The vehicle licence suspension and disqualification order was cancelled at *[time]* on *[date]*.

5. A vehicle licence cancellation and disqualification order disqualifying the offender from holding or obtaining a vehicle licence for the vehicle that had number plates *[no.]* (and, if the vehicle was licensed



when the order was made, cancelling the licence) was made under section 95J of the Act on *[date]* at *[time]*.

6. A copy of the vehicle licence cancellation and disqualification order was served on the offender by *[details of service]*.
7. As at the time of issuing this certificate the vehicle licence cancellation and disqualification order has not been cancelled.

OR

The vehicle licence cancellation and disqualification order was cancelled to the extent that it disqualifies the offender from holding or obtaining a vehicle licence at *[time]* on *[date]*.

Date of this certificate:

Time:

*[Signature]*

SHERIFF

*[Form 11 inserted: SL 2020/167 r. 27.]*

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## Notes

This is a compilation of the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table. ~~For provisions that have not yet come into operation see the uncommenced provisions table.~~

### Compilation table

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Fines, Penalties and Infringement Notices Enforcement Regulations 1994</i>	30 Dec 1994 p. 7232-41	1 Jan 1995 (see r. 2 and <i>Gazette</i> 30 Dec 1992 p. 7211)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 1995</i>	30 Jun 1995 p. 2636-42	30 Jun 1995
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 1995</i>	30 Jun 1995 p. 2643	1 Oct 1995 (see r. 2 and <i>Gazette</i> 29 Sep 1995 p. 4649)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 1996</i>	25 Jun 1996 p. 2928	1 Jul 1996 (see r. 2)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 1996</i>	5 Jul 1996 p. 3226-9	5 Jul 1996
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 1996</i>	19 Jul 1996 p. 3457-8	19 Jul 1996
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 1996</i>	4 Oct 1996 p. 5233	4 Nov 1996 (see r. 2 and <i>Gazette</i> 25 Oct 1996 p. 5632)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 1997</i> <sup>13</sup>	1 Aug 1997 p. 4394	1 Aug 1997
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 1997</i>	23 Jan 1998 p. 408	23 Jan 1998
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 1998</i>	28 Aug 1998 p. 4748-9	28 Aug 1998

Citation	Published	Commencement
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 1998</i>	8 Dec 1998 p. 6573-4	8 Dec 1998
<i>Fines, Penalties and Infringement Notices Amendment Regulations 1999</i>	12 Mar 1999 p. 1162-3	12 Mar 1999 (see r. 2 and <i>Gazette</i> 12 Mar 1999 p. 1162)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 1999</i>	2 Jul 1999 p. 2919	2 Jul 1999
<b>Reprint of the <i>Fines, Penalties and Infringement Notices Enforcement Regulations 1994</i> as at 6 Aug 1999</b> (includes amendments listed above)		
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 1999</i>	31 Dec 1999 p. 7075-6	31 Dec 1999
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 5) 1999</i>	31 Dec 1999 p. 7076	31 Dec 1999
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2000</i>	25 Aug 2000 p. 4907-8	25 Aug 2000 (see r. 2 and <i>Gazette</i> 25 Aug 2000 p. 4903)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2001</i>	30 Jan 2001 p. 617-18	5 Feb 2001 (see r. 2 and <i>Gazette</i> 30 Jan 2001 p. 615)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2002</i>	27 Aug 2002 p. 4353-4	27 Aug 2002
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2003</i>	12 Dec 2003 p. 5036-7	12 Dec 2003
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2003</i>	30 Dec 2003 p. 5715-16	1 Jan 2004 (see r. 2)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2004</i>	4 Jun 2004 p. 1933	4 Jun 2004
<b>Reprint 2: The <i>Fines, Penalties and Infringement Notices Enforcement Regulations 1994</i> as at 9 Jul 2004</b> (includes amendments listed above)		

**Fines, Penalties and Infringement Notices Enforcement Regulations 1994**  
**Notes**                      Compilation table

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2005</i>	13 May 2005 p. 2079-82 (as amended 30 Dec 2005 p. 6875-6)	13 May 2005
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2005</i>	9 Sep 2005 p. 4155-6	9 Sep 2005
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 2005</i>	30 Dec 2005 p. 6876-7	30 Dec 2005
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2006</i>	23 Jun 2006 p. 2191-2	1 Jul 2006 (see r. 2)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2006</i>	14 Jul 2006 p. 2563-4	14 Jul 2006 (see r. 2 and <i>Gazette</i> 14 Jul 2006 p. 2575)
<b>Reprint 3: The Fines, Penalties and Infringement Notices Enforcement Regulations 1994 as at 8 Sep 2006</b> (includes amendments listed above)		
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2007</i>	18 May 2007 p. 2257	r. 1 and 2: 18 May 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 19 May 2007 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2007</i>	26 Jun 2007 p. 3031-2	r. 1 and 2: 26 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2007 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2008</i>	11 Mar 2008 p. 818-19	r. 1 and 2: 11 Mar 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 12 Mar 2008 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 2008</i>	27 Mar 2008 p. 903-4	r. 1 and 2: 27 Mar 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 28 Mar 2008 (see r. 2(b) and <i>Gazette</i> 27 Mar 2008 p. 899)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 5) 2008</i>	4 Jul 2008 p. 3171	r. 1 and 2: 4 Jul 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Jul 2008 (see r. 2(b))
<b>Reprint 4: The Fines, Penalties and Infringement Notices Enforcement Regulations 1994 as at 12 Dec 2008</b> (includes amendments listed above)		

Citation	Published	Commencement
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2009</i>	23 Jun 2009 p. 2466	r. 1 and 2: 23 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Jun 2009 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2009</i>	29 Jan 2010 p. 199-200	r. 1 and 2: 29 Jan 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Jan 2010 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2010</i>	25 Jun 2010 p. 2869	r. 1 and 2: 25 Jun 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 26 Jun 2010 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2010</i>	17 Sep 2010 p. 4759	r. 1 and 2: 17 Sep 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Sep 2010 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2011</i>	17 Jun 2011 p. 2169	r. 1 and 2: 17 Jun 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Jun 2011 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 2011</i>	13 Dec 2011 p. 5281-2	r. 1 and 2: 13 Dec 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Dec 2011 (see r. 2(b))
<b>Reprint 5: The Fines, Penalties and Infringement Notices Enforcement Regulations 1994 as at 2 Mar 2012</b> (includes amendments listed above)		
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2012</i>	16 Mar 2012 p. 1255-6	r. 1 and 2: 16 Mar 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 17 Mar 2012 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2011</i>	23 Mar 2012 p. 1369-70	r. 1 and 2: 23 Mar 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Mar 2012 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 2012</i>	8 Jun 2012 p. 2385-6	r. 1 and 2: 8 Jun 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Jun 2012 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 2012</i>	23 Nov 2012 p. 5721	r. 1 and 2: 23 Nov 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Nov 2012 (see r. 2(b))

**Fines, Penalties and Infringement Notices Enforcement Regulations 1994**  
**Notes**                      Compilation table

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2013</i>	5 Feb 2013 p. 835-6	r. 1 and 2: 5 Feb 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 May 2013 (see r. 2(b) and <i>Gazette</i> 5 Feb 2013 p. 823)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2013</i>	10 May 2013 p. 1936-7	r. 1 and 2: 10 May 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 11 May 2013 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 2013</i>	20 Aug 2013 p. 3877-94	r. 1 and 2: 20 Aug 2013 (see r. 2(a)); r. 13: 21 Aug 2013 (see r. 2(b)); Regulations other than r. 1, 2 and 13: 21 Aug 2013 (see r. 2(c) and <i>Gazette</i> 20 Aug 2013 p. 3815)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 2013</i>	3 Dec 2013 p. 5624-5	r. 1 and 2: 3 Dec 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Dec 2013 (see r. 2(b))
<b>Reprint 6: The Fines, Penalties and Infringement Notices Enforcement Regulations 1994 as at 6 Dec 2013</b> (includes amendments listed above)		
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 2014</i>	20 Jun 2014 p. 2026	r. 1 and 2: 20 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 21 Jun 2014 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 2014</i>	4 Jul 2014 p. 2363-4	r. 1 and 2: 4 Jul 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Jul 2014 (see r. 2(b)(ii))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 6) 2014</i>	13 Jan 2015 p. 249-50	r. 1 and 2: 13 Jan 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Jan 2015 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2015</i>	10 Feb 2015 p. 609-11	r. 1 and 2: 10 Feb 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 27 Apr 2015 (see r. 2(b) and <i>Gazette</i> 17 Apr 2015 p. 1371)

Citation	Published	Commencement
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2015</i>	3 Mar 2015 p. 784	r. 1 and 2: 3 Mar 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Mar 2015 (see r. 2(b) and <i>Gazette</i> 3 Mar 2015 p. 783)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 2015</i>	12 Jun 2015 p. 2027	r. 1 and 2: 12 Jun 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 13 Jun 2015 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 4) 2015</i>	19 Jun 2015 p. 2123-4	r. 1 and 2: 19 Jun 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2015 (see r. 2(b)(i))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 5) 2015</i>	13 Nov 2015 p. 4656-8	14 Nov 2015 (see r. 2 and <i>Gazette</i> 13 Nov 2015 p. 4631)
<b>Reprint 7: The Fines, Penalties and Infringement Notices Enforcement Regulations 1994 as at 8 Jan 2016</b> (includes amendments listed above)		
<i>Attorney General Regulations Amendment (Fees) Regulations 2016 Pt. 7</i>	14 Jun 2016 p. 1849-986	4 Jul 2016 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2016</i>	28 Jun 2016 p. 2642-3	r. 1 and 2: 28 Jun 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2016 (see r. 2(b) and <i>Gazette</i> 24 Jun 2016 p. 2291)
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2016</i>	9 Aug 2016 p. 3427-8	r. 1 and 2: 9 Aug 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Aug 2016 (see r. 2(b))
<i>Attorney General Regulations Amendment (Associations Incorporation) Regulations 2016 Pt. 3</i>	30 Dec 2016 p. 5965-6	31 Dec 2016 (see r. 2(b))
<i>Attorney General Regulations Amendment (Public Health) Regulations 2016 Pt. 3</i>	10 Jan 2017 p. 173-6	24 Jan 2017 (see r. 2(b) and <i>Gazette</i> 10 Jan 2017 p. 165)
<i>Attorney General Regulations Amendment (Travel Agents) Regulations 2016 Pt. 3</i>	24 Jan 2017 p. 744-5	25 Jan 2017 (see r. 2(b) and <i>Gazette</i> 24 Jan 2017 p. 741)

**Fines, Penalties and Infringement Notices Enforcement Regulations 1994**  
**Notes**                      Compilation table

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Attorney General Regulations Amendment (Fees and Charges) Regulations 2017 Pt. 7</i>	7 Jul 2017 p. 3721-98	8 Jul 2017 (see r. 2(b)(ii))
<i>Attorney General Regulations Amendment Regulations 2017 Pt. 3</i>	4 Aug 2017 p. 4313-14	5 Aug 2017 (see r. 2(b))
<b>Reprint 8: The Fines, Penalties and Infringement Notices Enforcement Regulations 1994 as at 29 Mar 2018</b> (includes amendments listed above)		
<i>Attorney General Regulations Amendment (Fees and Charges) Regulations 2018 Pt. 7</i>	15 Jun 2018 p. 1963-2049	1 Jul 2018 (see r. 2(b))
<i>Justice Regulations Amendment (Biodiversity Conservation) Regulations 2018 Pt. 3</i>	14 Sep 2018 p. 3314-15	1 Jan 2019 (see r. 2(b) and <i>Gazette</i> 14 Sep 2018 p. 3305)
<i>Justice Regulations Amendment (Road Passenger Services) Regulations 2019 Pt. 3</i>	12 Feb 2019 p. 265-6	13 Feb 2019 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2019</i>	28 Jun 2019 p. 2490	r. 1 and 2: 28 Jun 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 2 Jul 2019 (see r. 2(b) and <i>Gazette</i> 28 Jun 2019 p. 2473)
<i>Attorney General Regulations Amendment (Fees and Charges) Regulations 2019 Pt. 9</i>	28 Jun 2019 p. 2553-642	1 Jul 2019 (see r. 2(b))
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2019</i>	16 Jul 2019 p. 2819-20	r. 1 and 2: 16 Jul 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 17 Jul 2019 (see r. 2(b))
<i>Attorney General Regulations Amendment (Case Management System) Regulations 2019 Pt. 5</i>	31 Dec 2019 p. 4669-73	1 Jan 2020 (see r. 2(b))
<i>Justice Regulations Amendment (Emergency Management) Regulations 2020 Pt. 3</i>	SL 2020/32 3 Apr 2020	4 Apr 2020 (see r. 2(b))
<i>Attorney General Regulations Amendment (Fees and Charges) Regulations 2020 Pt. 7</i>	SL 2020/124 31 Jul 2020	1 Aug 2020 (see r. 2(b))



Citation	Published	Commencement
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2020</i> ( <del>other than r. 10 and 16</del> )	SL 2020/167 25 Sep 2020	r. 1 <del>&amp;and</del> 2: 25 Sep 2020 (see r. 2(a)); Regulations other than r. 1, 2, 10 <del>&amp;and</del> 16: 29 Sep 2020 (see r. 2(c) and SL 2020/159 cl. 2(a)); <a href="#">r. 10 and 16: 30 Sep 2020</a> (see r. 2(b) and SL 2020/159 cl. 2(b))

### Uncommenced provisions table

To view the text of the uncommenced provisions see *Subsidiary Legislation as made on the WA Legislation website*.

Citation	Published	Commencement
<del><i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2020</i> r. 10 &amp; 16</del>	<del>SL 2020/167 25 Sep 2020</del>	<del>30 Sep 2020 (see r. 2(b) and SL 2020/159 cl. 2(b))</del>

### Other notes

- <sup>1</sup> Formerly referred to [as](#) the *Workers' Compensation and Rehabilitation Act 1981*, the short title of which was changed to the *Workers' Compensation and Injury Management Act 1981* by the *Workers' Compensation Reform Act 2004* s. 5. The reference was changed under the *Reprints Act 1984* s. 7(3)(gb).
- <sup>2</sup> Under the *Alteration of Statutory Designations Order 2017* a reference in any law to the Department of Agriculture and Food is read and construed as a reference to the Department of Primary Industries and Regional Development unless the contrary intention appears.
- <sup>3</sup> Under the *Alteration of Statutory Designations Order 2017* a reference in any law to the Department of Commerce is read and construed as a reference to the relevant successor. The "relevant successor" means:
  - (a) the Department of Jobs, Tourism, Science and Innovation if the reference to be read and construed relates to a function, office or other matter that on 1 Jul 2017 became a function of, office in or other matter relating to that department; or
  - (b) the Department of Mines, Industry Regulation and Safety if the reference to be read and construed relates to a function, office or other matter that on 1 Jul 2017 became a function of, office in or other matter relating to that department.

- <sup>4</sup> Under the *Alteration of Statutory Designations Order 2017* a reference in any law to the Department of Environment Regulation is read and construed as a reference to the Department of Water and Environmental Regulation unless the contrary intention appears.
- <sup>5</sup> Under the *Alteration of Statutory Designations Order 2017* a reference in any law to the Department of Fisheries is read and construed as a reference to the Department of Primary Industries and Regional Development unless the contrary intention appears.
- <sup>6</sup> Under the *Alteration of Statutory Designations Order 2017* a reference in any law to the Department of Mines and Petroleum is read and construed as a reference to the Department of Mines, Industry Regulation and Safety unless the contrary intention appears.
- <sup>7</sup> Under the *Alteration of Statutory Designations Order 2017* a reference in any law to the Department of Parks and Wildlife is read and construed as a reference to the Department of Biodiversity, Conservation and Attractions unless the contrary intention appears.
- <sup>8</sup> Under the *Alteration of Statutory Designations Order 2017* a reference in any law to the Department of Racing, Gaming and Liquor is read and construed as a reference to the Department of Local Government, Sport and Cultural Industries unless the contrary intention appears.
- <sup>9</sup> Under the *Alteration of Statutory Designations Order 2017* a reference in any law to the Department of Water is read and construed as a reference to the Department of Water and Environmental Regulation unless the contrary intention appears.
- <sup>10</sup> No longer exists. See endnote 15.
- <sup>11</sup> Formerly referred to the *Censorship Act 1996*, the short title of which was changed to the *Classification (Publications, Films and Computer Games) Enforcement Act 1996* by the *Censorship Amendment Act 2006* s. 4(1). The reference was changed under the *Reprints Act 1984* s. 7(3)(gb).
- <sup>12</sup> Formerly referred to the *Curtin University of Technology Act 1966*, the short title of which was changed to the *Curtin University Act 1966* by the *Universities Legislation Amendment Act 2016* s. 16. The reference was changed under the *Reprints Act 1984* s. 7(3)(gb).
- <sup>13</sup> The *Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 1997* were published on 1 Aug 1997 p. 4394 and again on 4 Nov 1997 p. 6079-80. The publication of 4 Nov 1997 has no effect.