



Western Australia

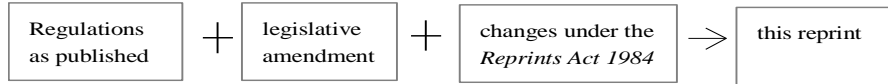
Fines, Penalties and Infringement Notices Enforcement Act 1994

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

**Reprint 2: The regulations as at 9 July 2004**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.



Western Australia

## Fines, Penalties and Infringement Notices Enforcement Regulations 1994

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### CONTENTS

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1.	Citation	1
2.	Commencement	1
3.	Enactments to which Part 3 applies (s. 12)	1
3A.	Form of request (s. 27A)	1
4.	Matters included in the definition of “fine” for Part 4 (s. 28)	2
5.	Fines to which sections 31 to 37 apply (s. 31)	2
6.	Applications for time to pay orders	2
6A.	Calculation of required hours for WDO (s. 49(2))	3
6B.	Reduction of WDO amount when work performed or hours when payment made (s. 51)	3
6BA.	Form of request (s. 55A)	4
6C.	Reduction of liability to pay fine where WDO taken to be cancelled ( <i>Sentencing Act 1995</i> s. 57B(7))	4
7.	Reciprocating States and courts for Part 6 (s. 60)	4
8.	Value of property that cannot be seized (s. 75)	5
8A.	Recommencing enforcement after successful application under section 101 or 101A	5
8B.	Recommencing enforcement after an appeal (s. 101B)	5

Contents

---

9.	Enforcement fees for Parts 3, 4 and 7	6
10.	Exemption from fees	7
11.	Methods of payment	7
12.	Forms	8
	<b>Schedule 1 — Enactments to which Part 3 of the Act applies</b>	9
	<b>Schedule 2</b>	11
	Part A — Enforcement fees for Part 3 of the Act	11
	Part B — Enforcement fees for Part 4 of the Act	11
	Part C — Enforcement fees for Part 7 of the Act	11
	<b>Schedule 3 — Forms</b>	13
	<b>Notes</b>	
	Compilation table	25



Reprinted under the  
*Reprints Act 1984* as  
at 9 July 2004

Western Australia

Fines, Penalties and Infringement Notices Enforcement Act 1994

## **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*<sup>1</sup>.

### **2. Commencement**

These regulations come into operation on the day on which the *Fines, Penalties and Infringement Notices Enforcement Act 1994* comes into operation<sup>1</sup>.

### **3. Enactments to which Part 3 applies (s. 12)**

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

### **3A. Form of request (s. 27A)**

A request under section 27A(1) must be made in a form approved by the CEO.

*[Regulation 3A inserted in Gazette 30 Jan 2001 p. 617.]*

r. 4

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**4. Matters included in the definition of “fine” for Part 4 (s. 28)**

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 Rehabilitation Act 1981, s. 170(2)</i>	An order that an employer pay an amount to the General Fund.

**5. Fines to which sections 31 to 37 apply (s. 31)**

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

*Workers’ Compensation and Rehabilitation Act 1981.*

**6. Applications for time to pay orders**

(1) An application —

- (a) under section 33 for a time to pay order; or
- (b) under section 34 to have a time to pay order amended,

may be made orally or in writing, as the court officer directs, and if in writing, is to be in such form as the chief executive officer approves.

(1a) On an application —

- (a) under section 33 for a time to pay order; or
- (b) under section 34 to have a time to pay order amended,

a court officer may require the applicant to produce documentary evidence to verify the applicant’s income or expenditure.

(2) If under section 33(2), 34(2) or 35(1) an offender is required to undergo a means test, the offender must make a statutory declaration in such form as the chief executive officer approves



as to the offender's financial capacity to pay the fine or fines concerned.

*[Regulation 6 amended in Gazette 5 Jul 1996 p. 3226.]*

**6A. Calculation of required hours for WDO (s. 49(2))**

- (1) The required hours in a WDO are to be calculated as —
  - (a) for up to \$150 owed by the offender — 6 hours;
  - (b) for more than \$150 and up to \$300 owed by the offender — 12 hours,

and so on, increasing in units of up to \$150.

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

*[Regulation 6A inserted in Gazette 30 Jun 1995 p. 2637; amended in Gazette 12 Mar 1999 p. 1163.]*

**6B. Reduction of WDO amount when work performed or hours when payment made (s. 51)**

- (1) Where an offender pays part of the amount owed, the remaining hours required to be performed under the WDO are to be calculated in accordance with regulation 6A(1).
- (2) The amount owed by an offender who is the subject of a WDO, is to be reduced by \$150 for every 6 hours worked, with the reductions to be in units of 6 hours, and where less than \$150 is owed, the offender must perform 6 hours to complete that WDO.

*[Regulation 6B inserted in Gazette 30 Jun 1995 p. 2637; amended in Gazette 12 Mar 1999 p. 1163.]*

**r. 6BA**

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**6BA. Form of request (s. 55A)**

A request under section 55A(1) must be made in a form approved by the CEO.

*[Regulation 6BA inserted in Gazette 30 Jan 2001 p. 618.]*

**6C. Reduction of liability to pay fine where WDO taken to be cancelled (Sentencing Act 1995 s. 57B(7))**

- (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 \$150 for every 6 hours worked.

*[Regulation 6C inserted in Gazette 25 Aug 2000 p. 4908.]*

**7. Reciprocating States and courts for Part 6 (s. 60)**

- (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	Any court of summary jurisdiction of that State.

*Column 1*

Tasmania  
Victoria

*Column 2*

Courts of Petty Sessions in that State.  
All Magistrates Courts.

**8. Value of property that cannot be seized (s. 75)**

For the purposes of section 75(1)(c), \$1 000 is the prescribed amount.

**8A. Recommencing enforcement after successful application under section 101 or 101A**

- (1) If on an application by a person under section 101 the justices make 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 suspend licences under section 18.
- (2) If on an application by a person under section 101A the justices make 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 suspend licences under section 42.

*[Regulation 8A inserted in Gazette 5 Jul 1996 p. 3227.]*

**8B. Recommencing enforcement after an appeal (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 suspend licences 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 suspend licences 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 suspend licences under section 42.
- (5) If when the person appealed, a warrant of execution 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 suspend licences 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 suspend licences under section 42.

*[Regulation 8B inserted in Gazette 5 Jul 1996 p. 3227.]*

**9. Enforcement fees for Parts 3, 4 and 7**

- (1) The fees in Part A of Schedule 2 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 Part B of Schedule 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) Enforcement fees in Schedule 2, Part C are prescribed for the purposes of Part 7 of the Act, and are calculated in accordance with that Part of Schedule 2.

*[Regulation 9 amended in Gazette 28 Aug 1998 p. 4749.]*

**10. Exemption from fees**

These prosecuting authorities are exempted from payment of the fee for registering an infringement notice under Part 3 of the Act:

Commissioner of Police  
Department of Agriculture  
Department of Conservation and Land Management  
Department of Consumer and Employment Protection  
Department of Environmental Protection <sup>2</sup>  
Department for Planning and Infrastructure  
Fisheries Department of WA <sup>3</sup>  
Gaming and Wagering Commission of Western  
Australia <sup>4</sup>  
Office of Racing, Gaming and Liquor  
Perth Market Authority  
Public Transport Authority of Western Australia  
Rottnest Island Authority  
The Queen Elizabeth Medical Centre Trust  
Water Authority of WA <sup>5</sup>  
Western Australian Electoral Commission  
Zoological Parks Authority

*[Regulation 10 amended in Gazette 30 Jun 1995 p. 2637  
and 2643; 19 Jul 1996 p. 3457-8; 23 Jan 1998 p. 408;  
31 Dec 1999 p. 7075 and 7076; 27 Aug 2002 p. 4353;  
12 Dec 2003 p. 5036-7; 4 Jun 2004 p. 1933.]*

**11. Methods of payment**

Under the Act, modified penalties, fines and enforcement fees may be paid by cash, cheque, money order or credit card.

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**

[Reg. 3]

**Enactments to which Part 3 of the Act applies**

<b>Act</b>	<b>section(s)</b>
<i>Builders' Registration Act 1939</i>	
<i>Bush Fires Act 1954</i>	59A
<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>Cemeteries Act 1986</i>	63
<i>Censorship Act 1996</i>	
<i>City of Perth Parking Facilities Act 1956</i> <sup>6</sup>	
<i>Conservation and Land Management Act 1984</i>	
<i>Control of Vehicles (Off-road Areas) Act 1978</i>	37
<i>Curtin University of Technology Act 1966</i>	20A
<i>Dog Act 1976</i>	45A
<i>Edith Cowan University Act 1984</i>	29
<i>Electoral Act 1907</i>	156
<i>Environmental Protection Act 1986</i>	
<i>Fish Resources Management Act 1994</i>	
<i>Gaming and Wagering Commission Act 1987</i> <sup>7</sup>	
<i>Government Railways Act 1904</i>	53A
<i>Home Building Contracts Act 1991</i>	
<i>Hospitals and Health Services Act 1927</i>	
<i>Liquor Licensing 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>Murdoch University Act 1973</i>	24
<i>Perth Market Act 1926</i>	13B
<i>Petroleum Products Pricing Act 1983</i>	
<i>Plant Diseases Act 1914</i>	35
<i>Port Authorities Act 1999</i>	
<i>Public Transport Authority Act 2003</i>	

**Schedule 1**

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<b>Act</b>	<b>section(s)</b>
<i>Queen Elizabeth II Medical Centre Act 1966</i>	20
<i>Road Traffic Act 1974</i>	102
<i>Rottnest Island Authority Act 1987</i>	
<i>Taxi Act 1994</i>	39
<i>University of Western Australia Act 1911</i>	16A
<i>Water Agencies (Powers) Act 1984</i>	103
<i>Western Australian Marine Act 1982</i>	132
<i>Zoological Parks Authority Act 2001</i>	

*[Schedule 1 amended in 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.]*



**Schedule 2**

[Reg. 9]

**Part A — Enforcement fees for Part 3 of the Act**

- |  |         |
|--|---------|
| 1. Fee for issuing a final demand .....  | \$12.00 |
| (To be imposed when the final demand is issued)  |         |
| 2. Fee for preparing an enforcement certificate in relation to an infringement notice<br>(for each infringement notice)..... | \$10.00 |
| (To be imposed when the infringement notice is registered)   |         |
| 3. Fee for registering an infringement notice with the Registry<br>(To be imposed when the notice is registered)             | \$37.50 |
| 4. Fee for issuing a notice of intention to suspend licences .....   | \$25.00 |
| (To be imposed when a licence suspension order is made)  |         |

**Part B — Enforcement fees for Part 4 of the Act**

- |   |         |
|---|---------|
| 1. Fee for issuing a notice of intention to suspend licences .....  | \$25.00 |
| (To be imposed when a licence suspension order is made or when a warrant of execution is issued, but not twice) |         |
| 2. Fee for issuing a warrant of execution .....   | \$71.00 |
| (To be imposed when the warrant is issued)  |         |

**Part C — Enforcement fees for Part 7 of the Act**

- |  |         |
|--|---------|
| 1. Fee for attending a Local Court in connection with proceedings to examine a person under section 69, for each hour or part of an hour .....   | \$33.50 |
| 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 .....  | \$24.00 |
| 4. Fee for lodging a memorial under section 89.....  | \$37.50 |
| 5. Fee for lodging a withdrawal of memorial under section 90 .....   | \$25.00 |

**Schedule 2**

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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 ..... \$125.70
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 ..... \$53.00
11. Fee for preparing and executing a transfer of land sold ..... \$124.00
12. Fee for attending a court in connection with interpleader proceedings, for each hour or part of an hour ..... \$33.50
13. If the Sheriff or a delegate of the Sheriff is necessarily put to extra trouble and expense in connection with executing a warrant of execution or is required to do anything not provided for in this Part, the Sheriff may set an amount or an additional amount (as the case may be) and that amount is prescribed as an enforcement fee.  
  
If under this item the Sheriff sets an amount for travelling expenses, the amount is not to exceed the rate per kilometre, one way, that is prescribed as a travelling fee for the service of documents in the *Justices Act (Courts of Petty Sessions Fees) Regulations*.

*[Schedule 2 amended in Gazette 25 Jun 1996 p. 2928; 28 Aug 1998 p. 4749; 30 Dec 2003 p. 5715-16.]*

Schedule 3

[Reg. 12]

Forms

1. Notice of withdrawal for the purposes of section 22

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

NOTICE OF WITHDRAWAL OF PROCEEDINGS UNDER PART 3

To:

ALLEGED OFFENDER
Address

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 I, being authorised to do so, hereby withdraw proceedings under section 22 of the Fines, Penalties and Infringement Notices Enforcement Act 1994 in relation to the infringement notice issued for the above offence.

Date
Authorised person

**Schedule 3**

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

*Fines, Penalties and Infringement Notices Enforcement Act 1994*

[Section 45 (& Part 5)]

Court of Petty  
Sessions at Perth

Warrant No.
ACN No.
Case No.

Fines Enforcement  
Registry

**WARRANT OF EXECUTION**

To: The Sheriff of Western Australia

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

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

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

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

**REGISTRAR**

**DATE**

[Form 2 inserted in Gazette 30 Jun 1995 p. 2638.]

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

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

Court of Petty  
Sessions at Perth

**WARRANT OF COMMITMENT**

Warrant No.
Period of Imprisonment Days Cum.

Fines Enforcement  
Registry

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

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

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

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

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

**Schedule 3**

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

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

*[Form 3 inserted in Gazette 30 Jun 1995 p. 2639.]*

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

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

Court of Petty  
Sessions at Perth

Warrant No.
ACN No.
Case No.

**WARRANT OF EXECUTION**

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

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

**REGISTRAR**

**DATE**

[Form 4 inserted in Gazette 30 Jun 1995 p. 2640.]

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

Schedule 3

6. Warrant of execution for the purposes of section 61
Fines, Penalties and Infringement Notices Enforcement Act 1994
[Section 61]

WARRANT OF EXECUTION

Court of Petty Sessions at Perth
Fines Enforcement Registry Case No. ....

TO: The Sheriff of Western Australia.
OFFENDER
Address
Postcode
A.C.N.

CASE On [date] the [name of reciprocating court] at [place in a
DETAILS reciprocating State or Territory] fined the offender (a body
corporate) the amount set out below.

That court has requested the Registrar to enforce the fine and
the order imposing the fine has been registered with this
Registry for enforcement.

To date the amount outstanding below is unpaid.

COMMAND YOU are authorised and commanded by this warrant to
seize and sell so much of the offender's personal property
and land as is necessary to recover the amount outstanding
and the enforcement fees in connection with the execution of
this warrant.

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

Signature of Registrar Date:

Reciprocating court order<sup>1</sup>:

Table with 2 columns: Description, Amount. Rows include Fine, Costs, Enforcement fees, Sub-total, Less any amount paid, and Amount outstanding.

<sup>1</sup> Here briefly describe the order of the reciprocating court that imposed the fine.



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

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

To: Registrar of Titles/  
Registrar of Deeds and Transfers

Sheriff's Office  
Warrant No.

Court of Petty  
Sessions at Perth

**MEMORIAL**

Fines Enforcement  
Registry

Description of land	Extent	Volume	Folio

Registered proprietor of land

--

Amount owed

\$
----

Enforcement fees

\$
----

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

Dated this	day of	20
------------	--------	----

..... Sheriff
------------------

[Form 6A inserted in Gazette 30 Jun 1995 p. 2641.]

**Schedule 3**

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

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

To: Registrar of Titles/  
Registrar of Deeds and Transfers

Sheriff's Office Warrant No.
---------------------------------

Court of Petty  
Sessions at Perth

**WITHDRAWAL OF MEMORIAL**

Fines Enforcement  
Registry

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

Registered proprietor of land

<input type="text"/>
----------------------

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

<input type="text"/>
----------------------

Dated this          day of          20
--

..... Sheriff
------------------

[Form 6B inserted in Gazette 30 Jun 1995 p. 2642.]

\_\_\_\_\_  
[Form 7 deleted in Gazette 4 Oct 1996 p. 5233.]

**8. Certificate under section 101C (Part 3 order)**

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

**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:

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 on [date] 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 under section 5 of the Act by posting it on [date] to the alleged offender at [address].  
An unsigned copy of the order is attached as annexure "A".
4. A notice of intention to suspend licences was issued under section 18 of the Act and was served on the alleged offender under section 5 of the Act by posting it on [date] to the alleged offender at [address].  
An unsigned copy of the notice is attached as annexure "B".
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.  
A certified copy of the order is attached as annexure "C".

**Schedule 3**

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6. A notice confirming licence suspension was issued under section 19 of the Act and was served on the alleged offender under section 5 of the Act by posting it on [date] to the alleged offender at [address].

An unsigned copy of the notice is attached as annexure "D".

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 in Gazette 5 Jul 1996 p. 3228.]

**9. Certificate under section 101C (Part 4 order)**

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

**CERTIFICATE AS TO LICENCE SUSPENSION ORDER**

Offender:

Address:

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

1. On [date] the [court] at [place] fined 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 on [date] and was allocated case number [no.].
3. A notice of intention to suspend licences was issued under section 42 of the Act and was served on the offender under section 5 of the Act by posting it on [date] to the offender at [address].  
An unsigned copy of the notice is attached as annexure "A".
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.  
A certified copy of the order is attached as annexure "B".
5. A notice confirming licence suspension was issued under section 43 of the Act and was served on the offender under section 5 of the Act by posting it on [date] to the offender at [address].  
An unsigned copy of the notice is attached as annexure "C".

**Schedule 3**

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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 in Gazette 5 Jul 1996 p. 3229.]

[Schedule 3 amended in Gazette 30 Jun 1995 p. 2638-42; 5 Jul 1996 p. 3228-9; 4 Oct 1996 p. 5233.]

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## Notes

- <sup>1</sup> This reprint is a compilation as at 9 July 2004 of the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<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>8</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
<i>Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 3) 1998</i>	8 Dec 1998 p. 6573-4	8 Dec 1998

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<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 Amendment Regulations (No. 2) 1999</i>	2 Jul 1999 p. 2919	2 Jul 1999
<b>Reprint of the Fines, Penalties and Infringement Notices Enforcement Regulations 1994 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 Fines, Penalties and Infringement Notices Enforcement Regulations 1994 as at 9 Jul 2004</b> (includes amendments listed above)		

<sup>2</sup> Under the *Public Sector Management Act 1994* the names of departments can be changed. At the time of this reprint the former Department of Environmental Protection is called the Department of Environment.

<sup>3</sup> Under the *Alteration of Statutory Designations Order (No. 3) 2001* a reference in any law to the Fisheries Department of Western Australia is read and construed as a reference to the Department of Fisheries.



- <sup>4</sup> Formerly referred to the Gaming Commission of Western Australia, the name of which was changed to the Gaming and Wagering Commission of Western Australia by the *Racing and Gambling Legislation Amendment and Repeal Act 2003* s. 124. The reference was changed under the *Reprints Act 1984* s. 7(3)(h).
- <sup>5</sup> Now superseded by the Water Corporation.
- <sup>6</sup> Repealed by the *Perth Parking Management (Consequential Provisions) Act 1999*.
- <sup>7</sup> Formerly referred to the *Gaming Commission Act 1987* the short title of which was changed to the *Gaming and Wagering Commission Act 1987* by the *Racing and Gambling Legislation Amendment and Repeal Act 2003* s. 122. The reference was changed under the *Reprints Act 1984* s. 7(3)(gb).
- <sup>8</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.