

Fines

Year 7-12

NSW

Module [1/1]

Date last updated: 11 February 2019

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Definitions

Fine

A fine is a term used to refer to a penalty imposed on a person for breaking a law. Fines typically require the person to pay a sum of money. There are two main kinds of fines a person may receive in NSW – a court imposed fine, or a penalty notice.

Court-imposed fines

Court imposed fines are given by the Court as a penalty for breaking the law. They will be given after a court case has happened and a person has been found guilty of a crime.

Penalty notices

A penalty notice (sometimes referred to as an infringement notice) is a notice given to a person who has allegedly committed a certain offence. If you receive a penalty notice, you can choose to pay the penalty amount specified in the notice rather than going to Court to determine if the offence was committed or not.

How to respond to a fine

Paying the fine

Fines can be paid in full, by instalments or worked off through a Work and Development Order (WDO).

Request a review

If you think a fine was issued incorrectly e.g. there was an error made, or there were additional circumstances that should be taken into account, you can submit a review to confirm whether or not the penalty was correctly issued.

Go to court

You have the option to let a court decide whether or not the fine was correctly issued, and to decide if a penalty should be received (e.g. if you should pay the penalty, or receive leniency).

NO MATTER WHAT OPTION YOU SELECT, YOU MUST COMPLETE THE ACTION BEFORE THE DUE DATE ON THE NOTICE OR YOU MAY RECEIVE A HARSHER PENALTY. IF YOU ARE UNSURE WHAT TO DO, THE LEGAL SERVICES LISTED ON YOUR HANDOUT MAY BE ABLE TO ASSIST.

Support services

Youth Law Australia is an online legal service that provides 24/7 legal assistance to children and young people aged under 25 and their supporters throughout all of Australia. Young people can access free legal information through their factsheets or access personalised legal advice and more specific help by pressing the pink "get help now" button located in the top right hand corner of the website: yla.org.au

Revenue NSW administers revenue for the NSW Government, including state taxes and fines. They can provide assistance to anyone that needs to pay a fine for a penalty notice including the different options available to them.

Website: <https://www.revenue.nsw.gov.au>

Phone: 02 9761 4900 or 1300 138 118

LawAccess NSW provides free legal advice and information. LawAccess NSW can be contacted on 1300 888 529. Alternatively, you can visit their website at <http://www.lawaccess.nsw.gov.au/>

Class Activity

Jessie's* story



*name and some details changed for privacy



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Summary

- The effect of a penalty notice is that the person can choose to pay the penalty amount specified in the notice rather than going to Court to determine if the offence was committed or not.
- There are three possible responses to a penalty notice – paying the penalty (in full, by instalments or through a WDO), requesting a review or going to court. This must be done before the due date of the fine.
- There are a range of penalty amounts for different offences including on public transport, pedestrian offences or cycling offences.
- Responding to a fine can be a difficult decision and it is a good idea to contact a lawyer **quickly** to avoid any further penalties.

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