

SOUTH AUSTRALIA

EXPIATION OF OFFENCES REGULATIONS 1993

SUMMARY OF PROVISIONS

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SCHEDULE

Model form

REGULATIONS UNDER THE EXPIATION OF OFFENCES ACT 1987

Expiation of Offences Regulations 1993

being

No. 14 of 1993: *Gaz.* 18 February 1993, p. 630¹

¹ Came into operation 1 March 1993: reg. 2.

Citation

1. These regulations may be cited as the *Expiation of Offences Regulations 1993*.

Commencement

2. These regulations will come into operation on 1 March 1993.

Interpretation

3. In these regulations—

"the Act" means the *Expiation of Offences Act 1987*.

Model form

4. (1) Pursuant to section 4(3)(a) of the Act, the form set out in the schedule is prescribed as the model form.

(2) In addition to the requirements in respect of the model form, an expiation notice must—

(a) set out the procedure for both personal and postal payment of the expiation fee; and

(b) include the following statement, or statements to the following effect:

- If this notice nominates more than one offence, you may expiate one or more offences. You must therefore nominate which offence(s) you are expiating. Any offence that is not expiated may be subject to Court proceedings.
- A levy is payable in relation to each alleged offence, as shown on the front of this notice. The levy is imposed under the *Criminal Injuries Compensation Act 1978*. If you wish to expiate any offence shown on this notice, BOTH the expiation fee and levy must be paid together.
- Payment of an expiation fee does not constitute an admission of guilt or of any civil liability and cannot be regarded as evidence tending to establish guilt or a civil liability.
- An offence shown on this notice may be expiated by payment of the appropriate amount. Payment in accordance with the terms of this notice will mean that proceedings will not be commenced in respect of that offence. If you do not comply with this notice, court proceedings may be taken.
- Late payment of an expiation fee may be accepted (but there is no obligation on an authority to accept late payment of a fee). An additional payment may be required.

3.

Late payment fee

5. Pursuant to section 6a of the Act—

- (a) the fee for late payment of an expiation fee is \$20; and
- (b) any cost incurred by the responsible authority or any other authorised person in making one search of the register kept under the *Motor Vehicles Act 1959* to obtain information on a vehicle involved in the commission of an alleged offence to which the expiation notice relates is prescribed as a cost of a prescribed class under subsection (2)(b) of that section.

SCHEDULE
Model form

EXPIATION NOTICE

NOTICE No.

It is alleged that:

SURNAME: GIVEN NAME(S):
 OCCUPATION: DATE OF BIRTH:
 ADDRESS: POSTCODE:

 at (locality)
 at . . . a.m./p.m. on. . . / . . . / . . . committed the following
 offence(s) expiable by payment [*insert relevant details*]

Offence Number	OFFENCE	Expiation Fee \$	Levy \$	TOTAL Fee \$
TOTAL AMOUNT PAYABLE				\$

Time notice issue of. . . a.m./p.m.

Signature/authority of issuing officer. . ID

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Date of issue. . . / . . . / . . .

*[OR name of issuing
officer in block letters]*

DO NOT DETACH

NOTICE No.

YOU MAY DISPOSE OF THIS MATTER BY PAYMENT OF THE ABOVE FEES WITHIN
60 DAYS FROM THE DATE OF ISSUE OF THIS NOTICE

IF THE ABOVE FEES ARE NOT PAID
WITHIN THE TIME SPECIFIED, COURT PROCEEDINGS MAY BE TAKEN

5.

PROCEDURE FOR PAYMENT

THE PROCEDURE FOR BOTH PERSONAL AND POSTAL PAYMENT IS SHOWN ON THE REVERSE SIDE OF THIS NOTICE. PLEASE NOTE THAT IF PAYMENT IS MADE BY CHEQUE AND IT IS NOT HONOURED UPON FIRST PRESENTATION, PAYMENT WILL NOT HAVE BEEN MADE, NOR THE PRESCRIBED OFFENCE(S) EXPIATED.

DO NOT POST CASH. DO NOT SEND PART PAYMENT.
THIS NOTICE MUST ACCOMPANY PAYMENT

PD319

PLEASE READ REVERSE SIDE OF THIS NOTICE
