

South Australia

# **Fines Enforcement and Debt Recovery (Fees) Variation Regulations 2018**

under the *Fines Enforcement and Debt Recovery Act 2017*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Fines Enforcement and Debt Recovery (Fees) Variation Regulations 2018*.

### **2—Commencement**

These regulations will come into operation on 1 July 2018.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Fines Enforcement and Debt Recovery Regulations 2018***

### **4—Variation of regulation 6—Amounts unpaid or unrecovered for more than certain period (section 14 of Act)**

- (1) Regulation 6(1)—delete "\$99" and substitute:

\$101

- (2) Regulation 6(2)—delete "\$180" and substitute:

\$184

### **5—Revocation of regulation 11**

Regulation 11—delete the regulation

### **6—Revocation of regulations 16 and 17**

Regulations 16 and 17—delete the regulations

### **7—Variation of regulation 19—Amounts unpaid or unrecovered for more than certain period (section 26 of Act)**

- (1) Regulation 19(1)—delete "\$99" and substitute:

\$101

- (2) Regulation 19(2)—delete "\$180" and substitute:

\$184

### **8—Variation of regulation 24—Fees**

- (1) Regulation 24—after "Schedule 2" insert:

clause 1

- (2) Regulation 24—after "the Schedule" insert:

, subject to the exemptions set out in Schedule 2 clause 2

### **9—Substitution of Schedule 2**

Schedule 2—delete the Schedule and substitute:

#### **Schedule 2—Fees**

##### **1—Fees**

- |   |                                                                |         |
|---|----------------------------------------------------------------|---------|
| 1 | Fee payable by issuing authority under section 9(2) of the Act | \$19.50 |
| 2 | Fee payable by debtor under section 15(1) of the Act           | \$19.50 |
| 3 | Reminder notice fee under section 18(3) of the Act             | \$54.50 |
| 4 | Fee payable by alleged offender under section                  | \$19.50 |

	20(1) of the Act	
5	Fee payable by issuing authority under section 22(2) of the Act	\$19.50
6	Fee payable on application under section 22(5)(b)(i) of the Act	\$24.50
7	Fee payable by debtor or alleged offender under section 38(5) of the Act	\$19.50
8	Fee payable by debtor or alleged offender under section 39(7) of the Act	\$19.50
9	Fee payable by debtor or alleged offender under section 40(5) of the Act	\$19.50

## 2—Exemptions

- (1) A person who satisfies the Chief Recovery Officer that the person is suffering financial hardship such that the person cannot pay the fee to enter into an arrangement under section 20(1) of the Act is exempt from the obligation to pay the fee.
- (2) A public sector agency (within the meaning of the *Public Sector Act 2009*) is exempt from the obligation to pay—
  - (a) the fee for the enforcement of an expiation notice under section 22(2) of the Act; and
  - (b) the fee on an application to revoke an enforcement determination under section 22(5)(b)(i) of the Act.

### Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

## Made by the Governor

with the advice and consent of the Executive Council  
on 21 June 2018

No 150 of 2018

T&F18/018CS