

Application for Internal Review of an Infringement

Section 22 (1) Infringements Act 2006



Merri-bek
City Council

You must send this application to Council before:

- Council registers the fine with Fines Victoria; or
- Council lodges the fines with the Magistrates Court

Under section 22(2)(e) of the *Infringements Act 2006*, you can only ask for an internal review once for each infringement notice.

What happens when you submit an internal review application:

- We will put your infringement on hold under the *Infringements Regulations 2016*. We will consider the information and evidence you provide, as well as the evidence collected by the officer who issued the fine. Council has 90 days to consider your application and advise of the outcome.
- You do not need to do anything until you receive a letter or email from Council.

If insufficient evidence is provided:

- Council may request additional information.
- If you do not provide the additional information by the due date specified on the request, we will proceed with the infringement notice, and we may take further enforcement action.
- Additional fees may be incurred.

What happens when a decision is made on the internal review:

- Council will send you a letter advising of the outcome. The letter will be sent by post to the address you have provided.
- If you've given permission for someone else to act for you, we will send the letter to their address.
- If you want to receive the response by email, please mention this in your request for internal review.

What type of fine are you wanting to be reviewed?

Building/pools

Environmental Health

Planning

Applicant Details

Applicant's Full Name:		
Address:		
Suburb:	Post Code:	Phone number:
Email:		

Infringement Number(s):

NOTE: If you are acting on behalf of the person who got the infringement, you need their written permission. Please fill out the section below.

Consent (ONLY complete this section if you are giving consent to someone to act on your behalf)

I (name) _____ of (address) _____
give (name) _____ of (address) _____
consent to act on my behalf in relation to the above infringement notice/s.
Signature of person giving consent: _____

Reasons for Review (Select applicable reason/s)

- Contrary to Law** - You can apply under this reason if you think that the enforcement agency's decision to fine you didn't follow the law.
- Mistaken Identity** - You can ask for a review for this reason if you have been incorrectly identified as the person who did an offence, and you have evidence to prove this.
- Exceptional Circumstances** - You should select this reason only if you can prove that the offence happened because of unusual, unavoidable, or exceptional circumstances, like a medical emergency or a vehicle breakdown.
- Special Circumstances** – You can select this reason only if you did the offence and can show that at the time of the offence you:
 - had a mental or intellectual disability, disorder, disease or illness
 - had a serious addiction to drugs, alcohol or a volatile substance
 - were homeless
 - were a victim of family violence, or
 - you cannot deal with your fine/s because of severe disabling long-term circumstances.

You **MUST** provide recent documentation that supports the special circumstances.

- Depending on your situation, this may be a report from a specialist who treats you, like a psychologist, psychiatrist, social worker, or case manager.
- The report should explain your situation, how it affected you when the offence happened, and what steps are being taken to stop it from happening again.

Person Unaware - If you didn't receive the fine directly from the officer and only found out about it recently, you can request an Internal Review based on being unaware. If your request is accepted, Council might decide to remove any extra costs related to reminder notices. This doesn't affect your choices to go to court, ask for a review, or arrange a payment plan. Merri-bek City Council must receive your application within 14 days of when you became aware of your fine.

For any infringements that have already been lodged with Fines Victoria, Magistrates or you have a received a Notice of Final Demand from Fines Victoria, you will need to contact Fines Victoria to discuss your options.

Tell us your reasons for review

Applicant Declaration

I declare that the information contained in this written statement is true and correct.

Signature:

Date:

How to apply

Send your completed form via one of the methods listed below.

Email

Email the completed application form with any supporting documentation to:

info@merri-bek.vic.gov.au

Mail

Merri-bek City Council
Locked Bag 10
Brunswick VIC 3056

In Person

Merri-bek Civic Centre
90 Bell Street Coburg VIC 3058
50 Wheatsheaf Road Glenroy VIC 3046
233 Sydney Road Brunswick VIC 3056
8:30am to 5pm Monday to Friday
Closed public holidays.

Collection Notice

Merri-bek City Council is committed to protecting your privacy in accordance with the Privacy and Data Protection Act 2014 (Vic) and the Health Records Act 2001 (Vic). The personal information requested on this form is being collected by Merri-bek City Council for the purpose of reviewing your infringement appeal or any other directly related purpose under the Local Government Act 1989 or other relevant legislation or Act and may also be used to update your personal information otherwise held by Council (for example, contact details including email address, phone number).

The personal information may be disclosed to an appointed collections agency, Fines Victoria, Victoria Police or other councils for enforcement matters. and may also be used by Merri-bek Council for related purposes. It will not be disclosed to any other external party without your consent, unless required or authorised by law. If the personal information is not provided your application for review cannot be processed.

You can gain access to your personal information you have provided to Merri-bek City Council and if you wish to alter it, please contact Council's Privacy Officer via telephone on 9240 1111 or e-mail at Privacyofficer@merri-bek.vic.gov.au

Speak with us in your language

For more information visit merri-bek.vic.gov.au/your-language

Per maggiori informazioni nella tua lingua, chiama il numero **9280 1911**

اپنی زبان میں مزید جاننے کے لیے
پر کال کریں۔ **9280 1917**

如需了解更多您语言版本
的信息, 请致电 **9280 0750**

अपनी भाषा में अधिक जानने के
लिए, **9280 1918** पर कॉल करें

Για να μάθετε περισσότερα στη
γλώσσα σας, καλέστε το **9280 1912**

तपाईंको भाषामा थप जान्नको लागि,
9280 1910 मा कल गर्नुहोस्

Para saber más en tu idioma
llama al **9280 1916**

To speak with us in a
language not listed here,
please call **9280 1919**

لمعرفة المزيد بلغتك، اتصل
بالرقم **9280 1913**

Kendi dilinizde daha fazla bilgi
edinmek için **9280 1914**'ü arayın

Để tìm hiểu thêm bằng ngôn
ngữ của bạn, hãy gọi **9280 1915**