

The case for an amnesty on fee waiver on infringement notices



In 2014-2015 5.32 million infringement notices were issued in Victoria. For those experiencing hardship, issuing agencies may offer the option of paying by instalment payment plans. Infringement notices [that impacts most significantly on disadvantaged people](#) are:

- Public order offences
- Moving vehicle offences
- Parking offences
- Public transport offences

Infringements for these offences are issued by government agencies. Administrative fees and costs are also levied on these notices.

The problem with administrative and enforcement fees: in effect, it treats offenders differently:

1. those can afford to pay on time, and a
2. those may not have been able to comply due to their personal circumstance (such as financial hardship) and are therefore liable to additional penalties as a result.

For people facing financial difficulties, administrative and enforcement fees can substantially increase the outstanding amounts, imposing further financial burden on people struggling with daily expenses. For those who are unable to pay due to lack of income, to sudden life events and other financial difficulties, these additional fees make immeasurable difference to quality of life of struggling families.

An amnesty's been done before! In 2010, a 7-week Fines Payment Incentive Program ('fee waiver') waved administrative fees and costs on fines for people who pay their fines or enter into a payment plan. In some cases, applying for the waiver could result in a saving of up to \$120 per fine. State government agencies and twenty local agencies participated, and according to the [Attorney-General's annual report on the infringement system 2009-2010](#), fees valued at \$89.8 million were waived leading to resolutions of \$112.9 million in outstanding fines.

Further to an amnesty, CISVic endorses the [Victoria Legal Aid Position Paper on Vulnerable people and fines](#) and call on the Government to enact changes so that:

- Where a matter is heard in the Special Circumstances List, there is automatic waiver of administrative and enforcement fees (Recommendation 26),
- Magistrates to have a general discretion to waive administrative and enforcement fees in all infringement matters (Recommendation 27),
- The statutory power for tollway providers to charge an administrative fee be repealed; alternatively that the court have the express power to waive tollway administration fees (Recommendation 28), and
- The court continue the use of court issued payment notices for tollway administration fees (Recommendation 29).

For more information, visit <http://www.cisvic.org.au/campaigns/amnesty-fee-waiver-campaign>