

## Information Sheet

# DISPUTING YOUR EXPIATION NOTICE

### Overview

Tickets or fines are officially called Expiation Notices. Expiation fees are set by the State Government and apply to all Councils.

Expiation notices can be sent to you in the mail, handed to you or secured under your vehicle windscreen wiper blade.

If you believe you have a defence to the offence alleged on an expiation notice, you must complete a Statutory Declaration for a review to be conducted. You may also need to supply supporting evidence/documentation.

Verbal disputes are not accepted.

### Lodge Dispute of an Expiation Notice

Lodging a dispute of an expiation notice must be submitted prior to the expiation due date.

Include the following information when disputing an expiation notice:

- Explain the grounds for the dispute
- Provide your current address, telephone number, date of birth and driver's licence number
- Include expiation number and details of the expiation
- Include evidence to support your dispute

*Examples:*

*I was not responsible at the time of the offence – supply the full name and address of the person that was responsible at the time of the offence.*

*Offence was committed due to the negligent act by another person – supply full name and address of the alleged offender (if known) and where tradespeople were involved, evidence that work was done on the property on that date (ie invoice).*

*Dog was on the property for less than 14 days or the dog was under three (3) months of age – provide the date and time the dog was brought to the property supported by evidence or where/when the dog was acquired (receipt, tax invoice, statement from breeder)*

*Dog was not wearing a collar and registration disc due to a medical condition – supply details of condition supported by a veterinary certificate dated prior to the offence supporting this claim.*

*Dog was stolen from premises – supply details of incident including police report.*

*Other Reason – be specific as to the reason and include any written evidence/documentation that supports your defence.*

After your dispute has been received, Council will acknowledge and assess your dispute. You will receive written notification of the outcome with a new payment due date if applicable.

### Unpaid/Ignoring an Expiation Notice

After 28 days from the date of the expiation notice, if the expiation has not been paid, Council will issue a reminder notice with a late fee applied.

Failure to pay the expiation and late fee by the due date may result in the expiation being forwarded to the Fines Enforcement and Recovery Unit (FERU) and further penalties may apply. Once the expiation is forwarded to FERU, all contact must be made direct with FERU, phone 1800 659 538.

### Other useful links

- Legal Services Commission of South Australia - <https://lawhandbook.sa.gov.au/ch20.php>
- Statutory Declaration Form - [https://www.sa.gov.au/\\_data/assets/pdf\\_file/0011/11432/MR28.pdf](https://www.sa.gov.au/_data/assets/pdf_file/0011/11432/MR28.pdf)
- Statutory Declaration Regulations 2018 - <https://www.ag.gov.au/Publications/Statutory-declarations/Pages/default.aspx>

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