

Expiation Notice

Appeal Form

CITY OF



MITCHAM

Office Use Only

*Expiation Number

*Vehicle Registration

*Drivers Licence Number

*Last Name

*First Name (in full)

*Residential Address/
Business Address
(where applicable)

*Phone

*E-mail address

*** Indicates mandatory field** (where fields are incomplete, appeal will not be accepted)

The *Expiation of Offences Act 1996* and Australian Road Rules include provisions that allow an expiation notice to be withdrawn if certain circumstances exist or the offence could be considered trifling (as defined by the Act). To assist in determining if this expiation notice is able to be withdrawn on appeal, please tick YES or NO to the following questions before completing the statement overleaf.

Was your vehicle parked in an illegal manner as a result of a direction or instruction from a Police Officer or another Authorised Officer?

Yes

No

If yes, you must include documented evidence along with your written statement. You may need to contact police to obtain this material.

Was your vehicle parked in an illegal manner as a result of a medical or other type of emergency?

Yes

No

If yes, you must include documented evidence along with your written statement. The ambulance service or hospital registrar will be able to provide you with the applicable material.

Was your vehicle parked in an illegal manner as a result of a mechanical failure or accident preventing you from moving to a legal park?

Yes

No

If yes, you must include documented evidence of breakdown or accident with your written statement. Your roadside assistance organisation or attending mechanic will be able to provide you with suitable material.

Does the expiation notice issued to you contain errors or incorrect information, such as wrong location, vehicle, time or date?

Yes

No

If yes, please provide a written statement outlining the errors or incorrect information and details of why you believe the information is incorrect.

Were the signs or road markings relevant to this offence totally obscured or not erected in accordance with Australian Standards?

Yes

No

If yes, please provide a written statement containing a diagram of the non-conforming sign or marking. Photographs will assist with your claim, and will be compared to photographs taken at the time of the offence.

Was your permit to park in a restricted zone a valid original in good order and visibly displayed so the permit number and expiry date where visible from the exterior of the vehicle?

Yes

No

If your permit had fallen off the dash, you may still apply to have the expiation waived if you are able to present the original permit or submit a photocopy of the original permit sighted and signed by a Justice of the Peace.

Were there compelling humanitarian or safety reasons or any other emergency situation existing so that you could not reasonably have avoided committing the offence?

Yes

No

If yes, you must include documented evidence along with your written statement to substantiate your appeal. This could also include evidence that the offence was merely a technical, trivial or petty instance of a breach.

Were you the driver of the vehicle at the time of the offence?

Yes

No

If you answered No to the questions listed above, it is unlikely that the expiation notice will be withdrawn upon appeal.

It is important to note that offences against the Australian Road Rules regarding parking and stopping are not recorded against a driver's traffic record, and do not attract demerit points.

Section 15(4) of the Expiation of Offences Act provides that payment of an expiation notice does not constitute an admission of guilt or civil liability.

