



2.1.10 Infringement Debt Management

Type:	Corporate Services – Financial Management
Legislation:	Local Government Act 1995
Delegation:	
Other Related Document:	Parking Infringement Appeals Policy 2.1.9

Objective

The objective of this policy is to outline the process for collection of infringements, the referral process to the Fines Enforcement Registry, and the process to write off debt for unpaid infringements.

Policy Scope

This Policy applies to all infringements issued by the Town of East Fremantle under delegated State Government legislation and the Town’s Local Laws. Council is committed to ensure that enforcement is carried out in the public interest and is transparent, fair, efficient and consistent.

Policy

Parking Infringement Notices Process

Infringement notice is issued - 28 days to pay.

Issue of a Final Demand letter - 14 days to pay.

Appeals must be lodged within the 28 day period being the due date on the original infringement notice. The due date will not be amended irrespective of the appeal being received. If the appeal is received after the 28 day period, it will not be considered.

Unpaid Infringement Notices will be forwarded to the Fines Enforcement Registry (FER) to recover the outstanding infringement following the non-payment of a Final Notice. Prior to an infringement being referred to FER, a list (generally monthly) will be prepared for the Senior Ranger to review and authorise.

Fines Enforcement Registry (FER)

Amounts that remain outstanding past the prescribed due date of the Final Demand letter will be referred to the Fines Enforcement Registry, and will result in additional fees and charges. The debt will remain active with Fines Enforcement for a period of three (3) years, after which it will be written off under delegated authority. Infringements are required to be manually written off via the FER portal.

Interstate and International Drivers

If an infringement remains unpaid within a financial year, the infringement notices may be withdrawn by delegated authority if the driver of the vehicle has been identified as being from interstate or overseas.

Management Reporting

The monthly financial report to council is to include the balance of Parking Infringements receivable.

Each year a report (including the Parking Infringements Status Summary Report) is to be submitted to the Audit Committee identifying total infringements outstanding by 1, 2 and 3 years. Fines

outstanding greater than three years will be referred to Council for information advising the amount written off by the Chief Executive Officer under delegation.

Financial Hardship

1. Financial hardship is not a ground for review.
2. Where a person is experiencing financial hardship and is unable to pay their outstanding infringement, the Town may assist the applicant, where applicable, to negotiate a payment plan.
3. To be eligible for a payment plan, the applicant must not have been referred to fines enforcement previously.
4. If the payment plan is requested after the fine has been registered with FER, the applicant will be responsible for an additional payment of the registration fee for the withdrawal.
5. The payment plan must not include more than 3 payments and must result in the outstanding amount being paid in full within 90 days of the date of Final Notice.

Each payment arrangement requires the approval of the Executive Manager Corporate and Community Service in accordance with Delegation DA14 – Rates and Services Charges Agreements.

Roles and Responsibilities

- Ranger Services shall be responsible for the issuance of Infringement Notices under Delegation Authority DA21.
- The Rates Officer shall be responsible for the issuance of the Final Demand Letter.
- The Executive Manager Corporate Services shall be responsible for referring matters to Council in regards to this Policy and the collection of outstanding Infringements.
- The Manager Administration and Finance shall be responsible for the review and monitoring of the operations of this Policy.
- The Corporate Service Team shall be responsible for the day-to-day operations of this policy.

Responsible Directorate:	Corporate Services
Reviewing Officer:	Manager Administration and Finance
Decision making Authority:	Council
Policy Adopted:	18/9/18
Policy Amended/Reviewed:	20/8/19, 17/9/19
Former Policy No:	4.4.3

