

Factsheet: Debt collectors come calling about fines

This factsheet looks at the law in relation to debt collection agencies which are entitled to collect debts on behalf of the New South Wales state government.

Revenue NSW provides a processing service for over 250 organisations that issue penalty notices in NSW. They process fines and fees for government agencies and organisations such as local councils, NSW Police and Sydney Trains.

Revenue NSW also issues fines directly for offences such as speeding, driving through a red light and driving in a bus lane.

If you don't pay your fine or fee in full by the due date, Revenue NSW may commence recovery action.

Which debt collection agencies are working with Revenue NSW?

Revenue NSW engages external debt collection agencies to follow up on unpaid fines or fees, including:

- Australian Receivables Pty Ltd
- National Credit Management Limited
- Recoveries Corporation Pty Ltd
- Milton Graham

Debt collection agencies cannot deal with fines where the debt is currently under management or where the person who owes the fine has been identified as vulnerable.

You can ask to see the agent's identification and letters with the logos of Revenue NSW and the debt collection agency. You can also call Revenue NSW to verify if the fine has been issued to you.

Remember, you do not have to deal with a particular agent. If you ask a debt collection agent to leave your premises they must do so immediately.

What will the debt collection agencies do if you have an unpaid debt?

If you have an unpaid debt, the debt collection agency may contact you, but they must respect your right to privacy at all times. The debt collection agency may:

- contact you via phone, letter or email;
- visit you face to face, but only as a last option if you don't respond to phone calls or other attempts to contact you.

The debt collection agency may:

- ask for payment;
- offer to work with you to make a flexible payment plan;
- ask why you haven't met an agreed payment plan; and
- explain to you what will happen if you don't pay.

You can ask the debt collection agent to leave without agreeing to anything.

Debt collection agencies must comply with strict guidelines about what they can and can't do. If you think you have been harassed by a debt collector, see our Factsheet **Harassment by Debt Collectors** and the [Debt Collection Guideline](#) for debt collectors & creditors produced by the ACCC and ASIC.

What if you agree to pay the debt, but cannot pay it all at once?

Before you negotiate with the debt collection agency or Revenue NSW, you might want to see a financial counsellor or get advice about your money situation and how much you can realistically afford to pay. You can find a financial counsellor near you at www.fcan.com.au. Financial counselling is free and confidential.

If you are eligible, you may be able to apply for a [Work and Development Order](#) (WDO). A WDO may allow you to "pay off" your fine by doing approved activities such as unpaid work, courses or counselling. You can ask a financial counsellor about this option.

You may be eligible for a 50% fine reduction or a write off if you are receiving a Centrelink benefit or are in significant financial hardship or disadvantage.

Do not feel pressured into agreeing to a payment plan on the spot. Take some time to think about what you can afford so that you can successfully complete your payments.

Once you have decided on a payment option, you can negotiate directly with Revenue NSW or through the debt collection agency. If you are in financial hardship or you wish to organise payment through **Centrepay**, the agency will transfer you to Revenue NSW, or you can contact Revenue NSW directly.

What if you do not agree that you owe the fine?

The debt collection agency cannot discuss with you whether or not you are responsible for the fine. If you want to challenge your liability or the amount of the fine, you should get legal advice about your options. [Legal Aid NSW](#) provides free advice through their local offices.

[Community legal centres](#) also provide free legal advice across the state. If there is a reason you were not able to nominate the person who was responsible for the fine, for example due to safety concerns, it is important that you get legal advice before speaking to Revenue NSW.

Once you have notified the debt collection agency that the fine is in dispute, they must stop all debt collection activities until the dispute is resolved.

For more information, see the [Fined Out Handbook: a practical guide for people having problems with fines](#).

**Published in February 2023.
Produced by Redfern Legal Centre.**

This factsheet is not a substitute for legal advice. If you have a problem, please contact Redfern Legal Centre at www.rlc.org.au/contact or phone 02 9698 7277.