

Fines – Reviews and Write Off Applications

If you have been issued with a fine in New South Wales, you may be able to apply for a review of your penalty notice. If you have unpaid fines, you may be able to apply to have them written off. In this factsheet we outline the processes for having a fine reviewed or written off.

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Am I eligible for a review of my penalty notice?

You can request a review if:

- you believe there has been a mistake in issuing the penalty notice;
- you were not responsible for the offence, but you cannot nominate the person responsible for reasons you can explain to Revenue NSW (e.g. you have concerns for your safety due to family violence); or

- there are other reasons that contributed to the offence (e.g. if you have an intellectual disability, mental illness, cognitive impairment or are homeless).

You can apply to have your penalty notice reviewed and withdrawn if you can show that because of the above circumstances, you could not understand that your conduct was an offence **or** you could not control your conduct.

How do I apply for a review of my penalty notice?

To request a review of your penalty notice, you can visit Revenue NSW's secure online service. To login, you will need to enter the penalty notice number or infringement notice number and the date of the offence. You can also lodge a review by phone or by mail. For more details, visit revenue.nsw.gov.au.

Depending on the reason that you are requesting a review, you may be required to provide documents such as copies of parking tickets, police reports or medical evidence (e.g. a letter from a doctor or psychologist) or letters of support (e.g. from a domestic violence support worker).

If you have not paid the fine, you should request a review before the payment due date specified in the penalty reminder notice.

If you have already paid the fine, you must contact [Revenue NSW](https://revenue.nsw.gov.au) within 60 days of the notice being issued.

If you don't ask for a review or pay the fine by the due date on the penalty reminder notice, you will receive an overdue fine which will add an enforcement fee to your total fine amount.

If you disagree with the outcome of Revenue NSW's review, you have the right to go to court. You can read more about challenging an overdue fine in court at revenue.nsw.gov.au.

Also see our Factsheet **Penalty Notices: Your Review Rights and Payment Options**.

If you are not eligible for a review of your penalty notice or your application is unsuccessful, you may be able to apply to have the fine written off.

What is a write off?

A write off occurs when Revenue NSW cancels an unpaid fine owing under an enforcement order.

Am I eligible for a write off?

You can't apply for a write off just because you think you are not guilty, or the fine is too high. You can only apply for a write off if you can't afford to pay the fine or do a Work and Development Order (WDO) because of your medical, personal or financial circumstances.

A WDO is where you agree to do an activity, like unpaid work, a training course, or undergo a medical treatment plan to pay off some or all of your fines. For more information, refer to [Law Access NSW](#) or contact Service NSW.

If you are not eligible for a WDO, you may be eligible to have your fine postponed or written off if you:

- have financial, medical or domestic problems that make you unable to pay the fine; or
- suffer from serious financial stress where you can't meet daily living expenses or loan repayments.

How do I apply for a write off?

If you can't pay the fine because you are suffering from financial hardship or affected by some other form of disadvantage, you should obtain legal advice from your local community legal centre or Legal Aid office before applying for a fine write off, as there are streamlined options available for those who are eligible.

You can apply for a write off online or by sending an application by post or email. The write off application form can be accessed on the [Revenue NSW website](#).

You must include the following information in the form:

- your name, date of birth, address, contact details and driver licence number (if you have one);
- an overdue fine reference number;
- income details including any Centrelink payments;
- information about your current situation; and
- details about your expenses and assets.

You will need to provide evidence to support your application. These documents may include:

- evidence of your income such as your payslips or Centrelink statements;
- your bank statements for the last three months;

- evidence of your expenses such as household bills;
- if you are applying for medical reasons, a report or letter from your health care provider explaining your medical conditions;
- if you are applying because of your domestic circumstances or family violence, a report or letter of support from a case worker, social worker or other professional; and
- police reports or court documents to confirm your situation.

You should provide as many supporting documents as you can to assist Revenue NSW to assess your application. There is no cost for an application.

What if I need help applying?

An application can be made by:

- you;
- your legal representative; or
- any other person you authorise to apply on your behalf (such as a family member or someone from a community welfare group).

What if my application is successful?

If your application is successful Revenue NSW may write off all or part of your fine.

When the fine is partially or fully written off, Revenue NSW considers the written off amount to be paid.

However, a write off or reduction in the amount of the fine will not change other penalties such as demerit points, driver licence sanctions, suspensions, cancellations or disqualifications.

What if my application is rejected?

If your application is rejected, you will be notified in writing. You will be given another 28 days to deal with the fine.

You may appeal the decision by applying to the Hardship Review Board (HRB). This is an independent body that reviews decisions made by Revenue NSW.

The HRB may write off your fines, give you more time to pay, defer payment or issue a Work and Development Order.

To make an application or for more information contact the HRB. A decision made by the HRB is final and cannot be further reviewed by Revenue NSW.

Things to remember

Even if your fine is written off, Revenue NSW can resume an action to recover the fine within 5 years of the write off date if:

- you are issued with another fine; and
- your financial, medical or domestic circumstances substantially improve your capacity to pay.

Where can I get more help?

For more information about write off applications or how to apply, contact Revenue NSW or consult the [Fined Out Handbook: a practical guide for people having problems with fines](#).

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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.