

Factsheet No. 17

What happens if I receive an enforcement notice?



This factsheet discusses the SDRO Advocacy Hotline and the consequences of receiving an enforcement order and the likely enforcement action taken if a fine is not paid.

- What is an enforcement order?
- What happens if I receive an enforcement order?
- What is a Work and Development Order (WDO)?
- What kind of enforcement action may the SDR take?
- How do I respond to enforcement action?
- Will a debt collector become involved?
- State Debt Recovery Contact Details

What is an enforcement order?

If you have an unpaid fine and have not responded to the State Debt Recovery Office's (**SDRO**) initial penalty notice, you will be sent an enforcement order. An enforcement order is a notice that enforcement action will be taken if outstanding fines are not paid.

What happens if I receive an enforcement order?

If you receive an enforcement order, you have 28 days to remedy the order before the SDRO may take enforcement action. An enforcement order will also incur an additional \$65 fee. To stop enforcement action, you can choose from the following options found on the [website](#):

- pay the fine (either by lump sum or instalments);
- dispute the fine;
- apply for a [Work and Development Order](#); or
- postpone enforcement action, by applying for:
 - A temporary order to stop the enforcement action through the [Advocacy Hotline](#);
 - An [annulment](#);
 - A [write off](#);
 - A review by the [Hardship Review Board](#);
 - A remission of the fine by the [Department of Justice](#)

Please seek legal advice before responding to an enforcement order. Registered advocates, such as community lawyers and financial counsellors can register with the [Advocacy Hotline](#) for prioritised review and response to fines issues.

What is a Work and Development Order (WDO)?

A WDO allows eligible debtors to reduce their fines through unpaid work or development activities with approved sponsor organisations. WDO activities can include unpaid work, medical or mental treatment, educational courses, financial or other counselling, drug and alcohol treatment and mentoring programs.

To be eligible for a WDO, you must prove that you:

- have a mental illness, intellectual disability or cognitive impairment;
- are homeless;
- have a drug or alcohol addiction; or
- are experiencing serious financial hardship.

The [SDRO website](#) has more information on WDOs and a [list](#) of sponsor organisations.

What kind of enforcement action may the SDR take?

If the fine remains unpaid 28 days after the issue of an enforcement order, the SDR may take enforcement action to recover the unpaid monies. Enforcement action may include the following [options](#):

- Driver's Licence or Vehicle Registration suspension or cancellation
- Garnishee: money deducted from wages or bank account
- Property seizure

The SDRO's first step is usually to suspend your driver's licence and cancel your vehicle registration, which can incur further costs. The other options may be pursued if the fine is not paid within 6 months of the enforcement order. For each civil action, additional amounts can be added to the fines balance.

If you are unable to pay the fine in full, there are a number of alternatives., such as paying the fine off by instalments or by completing a [Work and Development Order](#).

See Factsheet 17 and the "[Fined Out](#)" guide to fines

State Debt Recovery Contact Details

Phone number: 1300 138 118

Website: <http://www.sdro.nsw.gov.au/>

Hearing or speech impaired users: TTY 133 677 or 1300 555 727

Advocacy Hotline (for registered advocates): 1300 135 627

Produced by Redfern Legal Centre in September 2016.

This factsheet is a guide to the law in New South Wales, Australia. It is not a substitute for legal advice. If you have a legal problem seek legal advice from your local community legal centre.

