

Review Guidelines



Fairer outcomes for NSW

What are the Review Guidelines?

The review guidelines are a framework which Revenue NSW applies when reviewing fines. They are designed to address the most common reasons for review. They ensure the fines process is fair and upholds the expectation of public and road safety in NSW. For help with your review, you can access Review Assist.

You can request a review if you believe:

- your fine was issued in error
- you have extenuating circumstances, or
- you are requesting leniency based on your driving history.

Documentation supporting your claim may be required.

The guidelines were developed in collaboration with NSW Police, Legal Aid, Department of Justice, the Ombudsman's office, community advocates, customers, agencies who issue fines and community members. These guidelines are issued by the Minister for Finance, Services and Property under section 120 of the Fines Act 1996 and support the application of the Attorney General's Caution Guidelines.

How do I lodge a review?

You can submit a review and evidence online. You can call us to discuss your review, or you can mail your review.



Online

<https://www.revenue.nsw.gov.au/fines-and-fees/request-a-review>



Phone

1300 138 118
7.30am - 8.00pm Monday to Friday



Mail

Revenue NSW
PO Box 786
Strawberry Hills NSW 2012

For overseas callers:

+61 2 4937 9207

Hearing or speech impaired:

TTY 1300 889 529

Translating and Interpreting Service (TIS):

131 450

Each review is considered on the merits of the claim, on a case by case basis.

Note: if someone else was responsible for your vehicle and you have received a fine in your name, you should nominate them at www.revenue.nsw.gov.au

What evidence do I need to give you?

Depending on the reason you are requesting a review, you may be required to supply documentation such as copies of tickets, permits, police reports, medical evidence, or proof of vehicle repairs to support your claim.

You can scan and attach a copy of your documents when lodging your review online. If you are mailing a review to Revenue NSW, we always recommend you keep your original documents and mail copies of any relevant evidence.

What happens after I submit my review?

Once your request for review is received, a hold will be placed on the fine while we conduct a review.

The review process can take some time if we require additional information from the issuing authority. You should include your email address and phone number in case we need to contact you. If we cannot contact you, we will review the fine based on the information we have. When the review is completed you will receive written advice of the outcome.

Can any fine be reviewed?

Any fine can be reviewed. For offences that attract demerit points, your driving history may be considered, however offences that pose serious safety risks are unlikely to be cautioned. You can refer to Review Assist for more guidance about possible outcomes.

Can I request a review of a fine for someone else?

If you are helping someone else, we need their permission. Please include an Authority to Act form with your review at <https://www.revenue.nsw.gov.au/fines-and-fees/authorise-someone-else>

We will always consider your circumstances

Our role is to assess if leniency or cancellation is appropriate, or if the fine should be upheld.

Likely factors

- The offence did not take place, the fine has been issued in error
- I was not responsible for the vehicle at the time of offence
- For demerit offences, I have a good driving history and would like to ask for a caution
- I had a medical emergency or crisis which explains why the offence took place
- I have an intellectual disability, mental illness or cognitive impairment, or am homeless, and as such did not understand that I was committing an offence or was unable to control my conduct.

You may be required to provide documents to support your claim.

Unlikely factors

- When the offence is a serious offence that posed a risk to public and/or road safety
- Claim where you are unable to provide supporting documentation when requested
- You were unaware of or misunderstood a particular rule, offence or restriction (such as sign posted parking restrictions)
- An oversight that resulted in you committing an offence

If you wish to dispute a fine on these grounds, you can elect to have your circumstances heard at court.

Note: We will always consider claims from the 'unlikely' list if there are extenuating circumstances such as mental illness or medical emergencies.

What if I am not happy with the outcome?

If you are not satisfied with the outcome of your review, you may be entitled to have your fine heard in court.

Review Outcomes



Upheld (penalty to stand)

Our investigation determines that the fine has been correctly issued. You need to take action to finalise your fine.



Caution (leniency)

The offence took place and you are responsible, however due to your circumstances you are given leniency. You are not required to pay the fine. If applicable, the fine is recorded on your driving record.



Cancellation (no action)

The evidence shows that an error was made and the fine should not be applied. The fine is cancelled and you are not required to pay. The fine does not appear on your driving record.

Hardship Options

I can't afford to pay my fine. I just need some more time to be able to pay it off.

We can negotiate payment plans. You should phone us on 1300 138 118 to discuss your options.

I'm experiencing intense personal or financial hardship and need some help to resolve my fine.

Work and Development Orders (WDO) are made by Revenue NSW, in conjunction with an approved community organisation, to support eligible customers to gain access to certain courses/treatments.

These programs can count towards repaying your fines. You may be eligible if you have a mental illness, an intellectual disability or cognitive impairment, are homeless, have a serious addiction to drugs or alcohol, or are experiencing acute financial hardship.

For more information and eligibility criteria:



Visit our website at <https://www.revenue.nsw.gov.au/fines-and-fees/cant-pay-your-debt>



Call our WDO hotline on **1300 478 879** from 9.00am - 5.00pm Monday to Friday.