

Application for internal review (Infringements only)

Please complete all sections below to have your infringement reviewed. This form may be saved and printed or completed online, saved and then emailed to fines@energysafe.vic.gov.au.

Only one internal review may be submitted per Infringement Notice, unless applying when an internal review has been granted on the ground of Person Unaware of Fine.

Applicant details

Who is applying (confirm who is making the application):

- Person named on the infringement notice**
- Other person with consent**
(You must also complete the 'Consent for internal review' on reverse side of this page)
- Authorised company representative**

Your personal details

Full name

Corporate name and ACN (if applicable)

Email

Mobile

Address of person/Corporate (outcome will be sent here and to your email address if one is provided)

State

Postcode

Infringement details

Infringement notice number

Grounds for application

You must select at least one ground for this application. Descriptions are located on the following page.

- Exceptional circumstances**
See description 1
- Contrary to law**
See description 2
- Special circumstances**
See description 3
- Mistaken identity**
See description 4
- Person unaware of fine**
See description 5
- Penalty Reminder Notice
Fee waiver request**
See description 6
- I have attached an explanation of my circumstances and ground(s) in support of my application**

Declaration details

I understand this is the only Internal Review for this Infringement I am able to submit pursuant to s.22 (2) of the *Infringements Act 2006*.

I declare that the information I have supplied in this form, and any attachments to this form, are true and correct to the best of my knowledge.

I understand that by making a false or misleading statement in support of this claim, I may be prosecuted.

Upon completion, save a copy of this form and email to fines@energysafe.vic.gov.au

Signature of Applicant

Date

Internal use only: **Date received**

ESV reference

Internal review guidelines

Description of relevant grounds for internal review appeal

1 Exceptional circumstances

Please provide details of the exceptional circumstances.

(Where you have committed the offence due to unforeseen or unpreventable circumstances, e.g. medical emergencies).

2 Contrary to law

Please provide the reasons why you consider the decision to issue you with an Infringement was contrary to law. For example, this ground can be used if you believe the infringement notice is not valid, or an infringement officer has acted unlawfully, unfairly, improperly or beyond their authority in taking that action or decision.

3 Special circumstances

Includes:

- a mental or intellectual disability, disorder, disease or illness
- a serious addiction to drugs, alcohol or volatile substance
- homelessness,
- family violence within the meaning of the *Family Violence Protection Act 2008*, or
- circumstances experienced by the person that:
 - are long-term in nature, and
 - make it impracticable for the person to pay the infringement penalty or otherwise deal with the infringement notice, and which do not solely or predominately relate to financial circumstances.

You must provide evidence (e.g. letter, report, statement) from one of the following parties to support your application.

- a case worker, case manager or social worker
- a general practitioner, psychiatrist or psychologist, or
- an accredited drug treatment agency.

Evidence (e.g. letter, statement or a report) from your practitioner or case worker should include the following information:

- the practitioner/case worker's qualification and relationship with you, including the period of engagement
- the nature, severity and duration of your condition or your circumstances:
 - whether you were suffering from the relevant condition or circumstances at the time the offence was committed, and
 - whether, in the opinion of the practitioner/case worker, it is more likely than not that your condition/circumstances resulted in your inability to understand or control the conduct constituting the offence.

The practitioner or agency report must show that due to your condition/circumstances you could not understand or control your conduct constituting the offence.

4 Mistaken identity

Please provide an explanation and supporting evidence why this infringement should be reviewed on the ground of mistaken identity.

(Evidence may include a copy of your driver's licence).

5 Person unaware of fine

An application made on the ground of 'person unaware' must:

- be made within 14 days of you becoming aware of the infringement notice
(you may provide evidence of the date you became aware of the infringement notice by executing a statutory declaration)
- state the grounds on which the decision should be reviewed, and
- provide your current address for service.

6 Penalty Reminder Notice fee waiver request

Please provide the reason(s) why you believe the Penalty Reminder Notice Fee should be waived.

Note: The original penalty amount is still applicable under this request.

Applicants please note: If you do not provide sufficient information, Energy Safe Victoria may request further information. If you do not provide this further information within 14 days of the date of request, Energy Safe Victoria may determine the application without further information.

Consent for internal review (to be completed if another person is acting on your behalf)

I (person named in the infringement)

of (address of person named on the infringement)

give my consent to (name of person making the application on your behalf)

to apply for an Internal Review on my behalf to Infringement Number

Signature of person named on the infringement

Signature of other person with consent

Date

Date