

Responsible Directorate	Corporate Services
Responsible Business Unit/s	Finance Services
Responsible Officer	Manager Finance
Affected Business Unit/s	Finance Services

Objective

This policy sets out the debt recovery proceedings of fines and costs awarded by the Court.

Scope

This policy applies to all employees who engage the City's appointed legal firms to act on its behalf until a resolution is met.

Policy

Where the City has directed a prosecution against a respondent resulting in a fine and/or costs being awarded to the City, the City's legal representative is to request the Court to specify that payment be made direct to the legal firm or a secondary option to the Court, within twenty eight (28) days.

Where payment is not received, legal process requires that the debt be registered in the Fines Enforcement Registry for collection. The City expects its legal representative to undertake the task and inform the City when this has been done.

Note: The City has no control over the collection process undertaken by the Fines Enforcement Registry and cannot take any action on its own behalf.

From time to time, write off of debts will be required when the Fines Enforcement Registry deem the fines and/or costs uncollectable.

Definitions

Fines and Costs means amounts due to the City as awarded by any Court with the authority to do so. Amounts awarded are usually separated into an amount as a consequence of breaking a law and an amount awarded to compensate for the City's costs in taking the matter to Court.

Relevant management practices/documents

Nil

Legislation/local law requirements

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Office use only			
Relevant delegations	Instruct Legal Action		
Initial Council adoption	Date 9 April 2013	Resolution #	0413/010
Last reviewed	Date 26 May 2020	Resolution #	0520/027
Next review due	Date 2021		