

Monetary Penalties Enforcement Service

Submission to the Select Committee on the Cost of Living

MPES

Monetary Penalties Enforcement Service



Tasmanian
Government

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EXECUTIVE SUMMARY

This document has been prepared by the Director, Monetary Penalties Enforcement Service (MPES) for the purpose of providing an overview on the operations of MPES. The information contained herein is provided in response to an invitation by the Select Committee on the Cost of Living to provide a submission in relation to the impact of the *Monetary Penalties Enforcement Act 2005* (MPEA) on the cost of living.

Prior to the introduction of the MPEA in April 2008 options available to clients for dealing with monetary penalties were limited to a maximum repayment term of six months, community service or imprisonment. To exercise these options required the issue of arrest warrants and appearances in courts of petty session; this placed significant burden on government and individual clients with access to justice issues, lengthy delays and costly processes.

With the introduction of the MPEA more flexible options are now available for all clients to deal with their monetary penalties including negotiating repayment plans and or community service work in lieu of payment.


It is well established that the best models of enforcement offer clients a single point of contact for information, case management, streamlined payment, application and review, and, importantly, case managers who make personal contact.

This is the key reason Tasmania has been able to significantly reduce its fines debt profile as the MPES team offer a valuable service to the community which includes providing an advocacy service to disadvantaged persons to assist them meet their compliance obligations.

Monetary penalties are referred to the Director, MPES from a variety of sources including state and local government authorities and the Magistrates Court. Factors external to MPES determine the number and value of monetary penalties that are referred for collection and enforcement. The MPEA does not legislate for offences or their associated penalties but provides a mechanism to collect and enforce payment of these penalties.

The MPES team continues to work with all stakeholders to ensure issues affecting compliance are minimised and all processes are streamlined, consistent, relevant, cost-effective and deliver the desired result.

In practical terms the MPEA does not have a negative impact on the cost of living but provides achievable solutions for all clients to deal with their monetary penalty obligations. This includes making it easier for people to pay, or negotiate arrangements to pay over an extended period, convert unpaid monetary penalties to a period of community service or in cases of extreme hardship having their monetary penalties remitted.



Mark Cocker
A/Director
Monetary Penalties Enforcement Service

OVERVIEW

The Director, MPES is the sole authority responsible for the collection and enforcement of defined monetary penalties imposed by the Magistrates Court; and infringement notices issued by State and Local Government.

With proclamation of the MPEA on 28 April 2008 the processes used to enforce payment of monetary penalties within Tasmania changed. Some of the major benefits introduced with this legislation include the following: -:

- removal from the court system of minor infringement notice related offences;
- removal of the use of warrants of apprehension for non-payment of fines;
- ability to use a range of enforcement sanctions to enforce payment;
- ability to tailor payments to an individual's capacity to pay; and
- minimisation of the use of imprisonment for fine defaulters.

The MPEA provides benefits to Government and the Tasmanian community with the more efficient use of resources to enforce payment of unpaid monetary penalties.

Other benefits offered to the wider community include making it easier for people to pay or otherwise deal with their monetary penalties by offering a range of solutions including the ability to lodge a dispute with the issuing authority, negotiate repayment plans or community service orders without having to deal with formal court appearances.

The key to the success of MPES can be found in its person-centric approach where case-workers deal with all affected persons to ensure obligations are communicated clearly and issues affecting compliance are minimised.

The ethos of '*Service First*' where there is no wrong number and no wrong door; allows the MPES team to ensure that clients are dealt with in a professional empathetic manner where the focus is on outcomes, delivering changes to offending behaviour and support for the integrity of orders imposing monetary penalties.

By leaving a positive impression the MPES team are able to reinforce good compliance behaviour and ensure recidivism rates are reduced. The result of these strategies is that more and more clients are now aware of their rights and obligations imposed under a monetary penalty, and the flexible set of arrangements offered for repayment, including the use of Centrepay for Centrelink customers, BPay and Service Tasmania.

The ability to offer flexible repayment plans has also assisted in the delivery of a holistic enforcement solution where clients unable to pay their monetary penalties in full can negotiate a mutually acceptable repayment plan.

MPES continues to deliver a range of strategies which include community engagement programs, on-site client visits and mobile-offices which have resulted in a reduction in the value of outstanding monetary penalties.

Historically in times of economic downturn there is an increase in the demand for justice services; a reduction in the demand for these services through reduced offending is an indication of moving towards a safer and fairer community.

An effective enforcement solution for the collection of monetary penalties, whilst upholding the principles and values of social justice, is acknowledged as supporting the criminal justice system by ensuring the integrity and viability of orders for payment of monetary penalties is maintained.

Administrative penalties are considered to be of great benefit to government as they allow for an efficient and cost effective way of regulating behaviour by avoiding the need for complex and expensive criminal prosecutions.

Intelligence-based enforcement, educational, communication and media campaigns are regularly delivered to specifically targeted stakeholders, clients and community-based organisations and groups to ensure that the message of compliance is conveyed to a wide audience.

Campaigns are designed to ensure the community are not only aware of the existence of MPES and that outstanding monetary penalties will be enforced, but also to serve as a reminder to those who owe monetary penalties that they will not go away and flexible arrangements now exist to help them meet their compliance obligations..

The establishment of a customer service approach combined with specific campaigns has brought to life a range of responses to handle client attitudes from compliant, careless, to the recidivists that prior to the introduction of the MPEA did not exist.

On-going active stakeholder participation with numerous non-government organisations (NGO's) such as Anglicare, Colony 47, Mission Australia, the Salvation Army and Centacare ensures that the un-intended social impacts associated with monetary penalties are both managed and minimised.

An integral component of the MPES approach to compliance is its ability to communicate with the broader community as to the consequences of non-payment. By doing so, it is hoped that more people will address their obligations before further penalties are applied and that administrative penalties and or civil remedies only apply to those who refuse to comply, rather than those who would find it financially difficult to do so.

A recent publication by the Indigenous Justice ClearingHouse¹ has acknowledged the success of the MPES team in providing a best practice model of enforcement within Australia. This has been achieved through the delivery of a single point of contact for information, case management, streamlined payment, application and review.

¹ <http://www.indigenousjustice.gov.au/search.html?q=fines>

FACTORS AFFECTING COMPLIANCE

External influences not under the control of MPES dictate the number, type and value of monetary penalties that may be referred for collection and enforcement. MPES have no control over what monetary penalties are imposed or withdrawn, or when debt may be collected (other than leverage applied through the imposition of enforcement sanctions).

The MPES team acknowledge the environment within which it operates is subject to some significant challenges. With the current economic climate some clients are faced with difficult financial situations and decisions some of which can include other commitments such as: -

- rent / mortgage
- utilities, food, general day-to-day living expenses;
- lenders;
- collection agencies; and
- civil court judgements.

MPES continues to work closely with a range of stakeholders and client groups, in the development of specific strategies to deal with the challenging economic climate and conditions currently faced by the Tasmanian community, to ensure that the priorities of individuals to meet their obligations to pay monetary penalties are maximised.

The development of partnerships with key stakeholders and specific client groups has allowed MPES to foster an environment of participation. By continued communication with clients, engagement and active participation with stakeholder groups and encouragement that compliance is not voluntary MPES has been able to facilitate a change in behaviour in relation to how some members of the community deal with their monetary penalties.

By continually reviewing the effectiveness of our communications through the delivery of targeted information sessions MPES has achieved a broader understanding of the issues and by working with specific client groups are able to ensure our administrative processes are consistent with best practice.

These information sessions are also a valuable means by which MPES can increase the awareness within the community as to the nature of our business and why we do what we do – which is to encourage compliance with the law.

Stakeholders and client groups to whom these sessions are delivered have included non-profit organisations such as Anglicare, Colony 47, Centacare, Mission Australia and the Salvation Army and all specific infringement notice issuing authorities.

Communication is an integral component of the MPES ethos and to this end the MPES team continue to work with a range of stakeholders to review and redesign all documents and process used within the enforcement environment. Feedback has shown that clients are now finding access to information and an understanding of what is required of them considerably easier than what was previously the case.

By combining all monetary penalties under a single reference rather than having to quote an individual reference for each penalty owed (in some cases clients have in excess of 100 outstanding monetary penalties) the MPES team continues to make it easy for clients to pay.

A holistic client-centric approach has resulted in streamlined payment processes and options for the benefit of all clients. This includes an understanding of other financial commitments faced by clients and the ability to negotiate flexible repayment schedules that meet individual needs and expectations.

ENFORCEMENT PROCESS

This section provides some background information on the Monetary Penalties Enforcement Service; specifically who we are and what we do. Details of how and why we enforce payment of monetary penalties including the methodologies used which are further described within the 'MPES Compliance Model'.

The objectives of MPES and our compliance program include: -

- improving and supporting the deterrent effect of monetary penalties;
- supporting 'Partnership' initiatives, including the 'Road Safety Strategy';
- increasing awareness of the consequences of non-compliance; and
- making it easy to pay or otherwise deal with monetary penalties.

The Director, MPES is not responsible for the issue of monetary penalties or the value of a penalty unit these are prescribed in various Tasmanian statutes; but is the independent authority responsible for the collection and enforcement of these penalties.

All monetary penalties are issued with standard re-payment terms of 28 days. Unless withdrawn, paid in full or in accordance with the terms of a variation of payment conditions notice (VPCN) within 28 days following service of the original notice the Director, MPES may initiate enforcement action to recover the amount outstanding.

The MPEA provides that an offender will automatically be convicted of the offences to which an infringement notice relates with 28 days of service, unless it is withdrawn or a notice to elect a court hearing has not been lodged.

Conviction also occurs when an offender pays a monetary penalty, set out in an infringement notice, in part or in full; or makes arrangements with the Director to enter into a payment plan.

In specific cases a person who is taken to have been deemed convicted may apply to a court to have the conviction set aside or the penalty varied.

Enforcement action is initiated by the issue and service upon an enforcement debtor of an enforcement order. If a monetary penalty the subject of an enforcement order is not withdrawn, paid in full or being paid in accordance with the terms of a VPCN then further enforcement action to recover the amount outstanding is initiated.

Failure to comply with the conditions of an enforcement order may result in the imposition of enforcement sanctions. Section 49 of the MPEA provides the Director with the power to impose enforcement sanctions under Parts 6 and 7 of the MPEA.

An enforcement sanction, unless revoked or suspended by the Director, remains in force until the monetary penalties to which they relate are paid in full or the enforcement debtor has been granted, and the Director is satisfied is paying in accordance with the terms of a VPCN.

These sanctions include the following:

- publish fine defaulters details;
- suspend driver licences;
- suspend vehicle registrations;
- seize and sell assets;
- re-direct any monies owed to a debtor including salary, wages and savings;
- register an interest over any land in which a debtor may have an interest; or a
- warrant of commitment.

The imposition of enforcement sanctions is not taken lightly they are not used to punish but to apply leverage to encourage payment and a change in compliance behaviour. Sanctions are applied against specific enforcement debtor profiles where the sanction is likely to be cost effective, have an immediate effect and deliver the desired result.

Opportunities are provided to all clients to show cause as to why a particular enforcement action should not be taken. This includes the ability to enter into a negotiated repayment plan or provide evidence as to severe or unusual hardship.

The following table provides an overview of all enforcement sanctions initiated since the introduction of the MPEA including the number of sanctions lifted and the reason.

Status	Charge On Land	Seizure/ Sale	Publication	Redirections	Licence	Registration	Total
ACTIVE		650	4,907	107	4,582	3,145	13,391
REVOKED		105	7,982	17	16,339	10,478	34,921
Directors Discretion		31	1,994	7	3,640	2,373	8,045
Meeting Obligation			2,980		3,309	2,012	8,301
Notice Satisfied		74	2,804	10	9,390	6,093	18,371
Protection Order			204				204
SUSPENDED	1	119	1	78			199
Directors Discretion		7		77			84
Meeting Obligation	1	112		1			114
Notice Satisfied			1				1
Total	1	874	12,890	202	20,921	13,623	48,511

The figures shown in the table above further demonstrates the flexibility in the MPES team's approach to ensuring that no client will be overly disadvantaged as a result of enforcement actions initiated. There have been in excess of 48,000 enforcement sanctions imposed since the introduction of the MPEA with 72% having been lifted. Of this 76% were lifted due to payment and 24% lifted as a result of a representation being made to the Director, MPES.

To avoid the imposition of or to arrange for the removal of existing enforcement sanctions all clients are encouraged to make contact with the MPES team to discuss payment options. Its never too late to arrange payment.

PAYMENT VARIATIONS AND COMMUNITY SERVICE ORDERS

An application for the variation of payment conditions can be made at any time; it's never too late. These can be verbal or in writing and can include an application to convert outstanding monetary penalties to a period of supervised community service.

If approved, a variation of payment conditions results in the creation of one payment schedule covering all outstanding monetary penalties, with a series of scheduled obligations. These obligations relate to the specific dates by which payments are due.

A client the subject of a variation of payment conditions and who misses more than one scheduled obligation without advising MPES is regarded as being in default and may subsequently be subject to enforcement action.

Once approved, an application to vary payment conditions will result in the issue of a VPCN. This document sets out the conditions under which the payment conditions have been varied and provides details as to what payments must be made and by when. Information relating to the consequences of payment default is also explained in the variation notice.

A verbal application will be accepted if the total amount outstanding can be paid within a period of two years. Otherwise an application to vary payment conditions must be submitted in writing setting out all financial details of the applicant. This is required to ensure an appropriate assessment is undertaken as to the individual client's capacity to pay.

In specific cases where the Director, MPES has determined the client to not have the capacity to pay their monetary penalties within a reasonable period the matter is referred to the Director of Community Corrections for a community service suitability assessment.

Generally applications are assessed based on repayment terms of 30% of the applicant's available funds each fortnight. The value of 'Available Funds' is calculated as 'Income' (I) less 'Expenditure' (E) multiplied by .3; in other words ' $I-E=AF*.3$ '. Although there are circumstances where a lesser amount will be accepted and these are generally reserved for clients where their only form of income is derived from a Centrelink benefit or in cases of significant hardship.

The discharge rate for community service orders in lieu of payment is determined by legislation to be 1 day (or 7 hours) for each prescribed unit or part thereof owed. A prescribed unit is currently worth \$120.00; in other words a monetary penalty of \$121.00 would result in 2 days or 14 hours of community service.

Since the introduction of the MPEA a total of 873 applications have been received to convert outstanding monetary penalties to a period of community service. Of these applications 12 have been accepted and 9 are still waiting an outcome from Community Corrections.

MPES continues to strengthen and refine the approval process to ensure each client's circumstances are taken into consideration resulting in a fair and equitable approval process. All clients are encouraged to make contact with the MPES team to discuss payment options including repayment plans and any financial difficulties they may be encountering.

MPES COMPLIANCE MODEL

In order to deliver a cost effective and specifically tailored enforcement solution for the benefit of all concerned the Director, MPES in the application of the MPEA has developed a compliance model to support the legislated ability to enforce payment of monetary penalties.

The compliance model employed by MPES provides a mechanism to assist understanding the factors that may influence compliance behaviour. It allows us the ability to specifically target enforcement debtor profiles to ensure a cost effective enforcement service is delivered for all clients.

There are five classifications or profiles used and each is dealt with differently and in accordance with relevant enforcement priorities. These are shown below.

Those identified as sitting within the **'Compliance'** level will pay their monetary penalties by the due date. No specific enforcement action is required for this classification.

Those debtors within the **'Persuasion'** category require minimal enforcement action. The threat of additional costs or the imposition of sanctions will be enough to encourage compliance. This level requires moderate resourcing.

Debtors within the **'Avoidance'** category require moderate enforcement action, data analysis and regular monitoring. This level requires significant resourcing for the imposition of sanctions, client contact, assessing, processing and reviewing of payment variations.

Those debtors identified as sitting within the **'Refusal'** category require intensive enforcement action. This level requires intensive resourcing in the imposition of a wider range of sanctions, frequent client contact, assessing, processing and reviewing of payment variations.

A fifth classification **'Game Players'** can sit anywhere within the compliance model and are dealt with directly. This classification requires more direct attention.

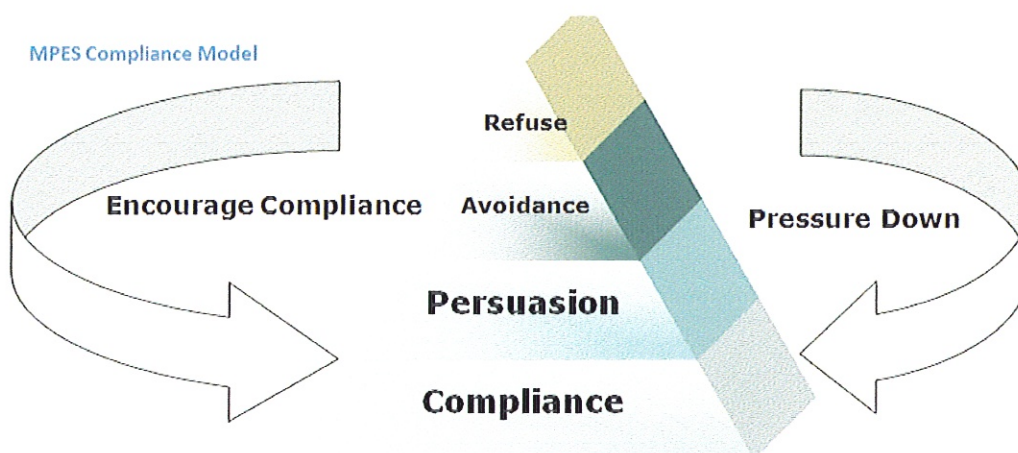
The majority of debtors referred to MPES already fall into the 'Avoidance' category by virtue of having ignored all communications from the issuing authority, and therefore require moderate to intensive enforcement action and resourcing.

Compliance behaviour can be influenced by many factors and may include psychological, sociological and economic contributors, all of which influence whether a person chooses to meet their obligations imposed under a monetary penalty.

The model shows a range of client attitudes towards compliance. At the bottom of the range clients have the desired attitude of being 'willing to do the right thing'. At the other extreme, clients have decided not to comply – choosing to avoid or refuse payment.

The model also summarises the different types of support and intervention mechanisms required to provide for an increase in the rate of collection of revenue. The model provides MPES with the ability to influence client behaviour through specific responses.

Specific details on the continuum of client attitudes towards compliance are described further below under the ['The compliance model in practice'](#) section.



The compliance model is based on the premise that compliance behaviour can be influenced through our responses and interventions. It directs us to address the cause rather than the symptoms of non-compliance. To do this MPES attempts to understand the psychological, sociological and economic factors that control compliance behaviour.

There are many reasons why a person may not comply, and the compliance model assists in understanding why. It should not be assumed that, because of non-compliance, a client automatically sits at the top of the pyramid, clients are not categorised as having the same attitude towards compliance.

By creating pressure down through specifically targeted enforcement campaigns and the application of enforcement sanctions behavioural change is encouraged and compliance rates increased resulting in reduced enforcement costs.

WHY DO WE HAVE A COMPLIANCE MODEL

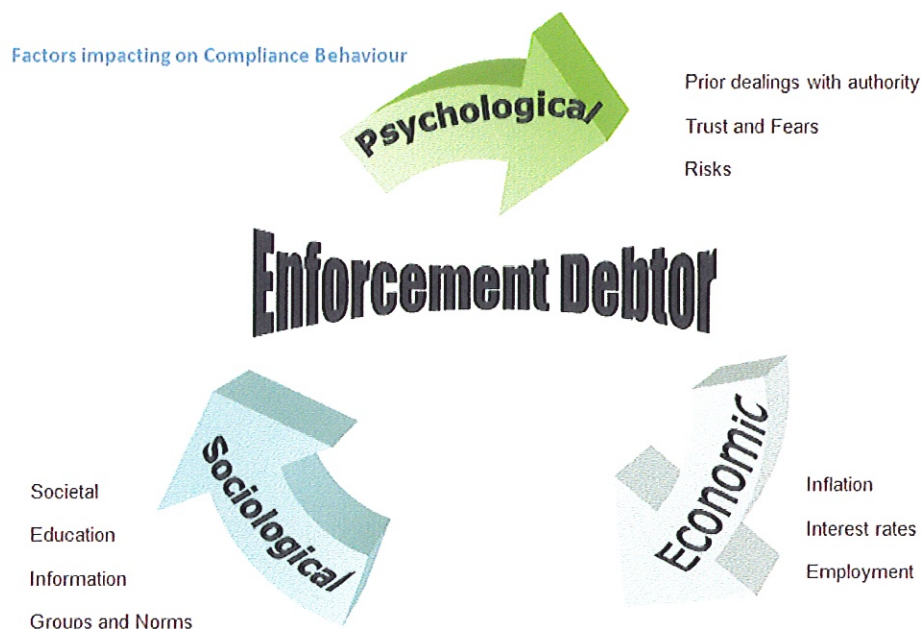
There are many reasons why a compliance model is necessary. Not only does a compliance model assist prioritise items for enforcement it also provides for appropriate and cost-effective resource allocation, resulting in an efficient collection of revenue.

The principles delivered within the 'MPES Compliance Model' include the following.

- strengthening the deterrent value of infringements and fines thereby assisting in the prevention of recidivism;
- supporting the 'Road Safety Strategy' and other 'Partnership Initiatives' by ensuring that those who are caught breaking the law are promptly punished;
- raising the profile of enforcement activity to increase the perceived risk of detection and penalties (consequences) of non-compliance; and
- ensuring that those who legitimately cannot pay are not excessively penalised due to their economic circumstances.

FACTORS IMPACTING COMPLIANCE BEHAVIOUR

There are many factors that may prevent or impact on an enforcement debtors' ability or willingness to meet their obligations to pay a monetary penalty. These are shown in the following diagram.



The model's core principle is to make compliance as easy as possible for those who want to comply. Whereas, the application of enforcement sanctions against enforcement debtors who wilfully seek to avoid or refuse payment increases the awareness within the community that the payment of monetary penalties is not voluntary.

Through the delivery of specifically-targeted communication and enforcement strategies MPES are able to communicate directly with the community and stakeholders to deliver the message of compliance.

The establishment of partnerships with key stakeholder groups assists in the development of whole-of-government solutions that minimises red tape and reduces compliance costs – such as improving the exchange of information.

OUR COMPLIANCE PROCESSES

Statistics show that the vast majority of people want to comply with their obligations, so making compliance easier, more accessible and as inexpensive as possible results in increased compliance rates.

The three main aspects to this are:

1. Consultation and collaboration with partners and stakeholders to co-design administrative processes that impact upon them and our shared client base. Resulting in an empathetic, user-based approach that ensures effective administrative solutions are designed and implemented.
2. Providing clients with the information they need to understand their obligations, rights and responsibilities. Resulting in information products and communication tools that are tailored to the needs of clients and specific enforcement debtor profiles.

3. Delivering convenient and inexpensive ways for clients to undertake transactions, thus making it easier to pay or otherwise deal with their monetary penalties.

HOW WE ORGANISE OUR WORK

The compliance model is directed towards targeted enforcement debtor profiles used to tailor our activities across a range of clients.

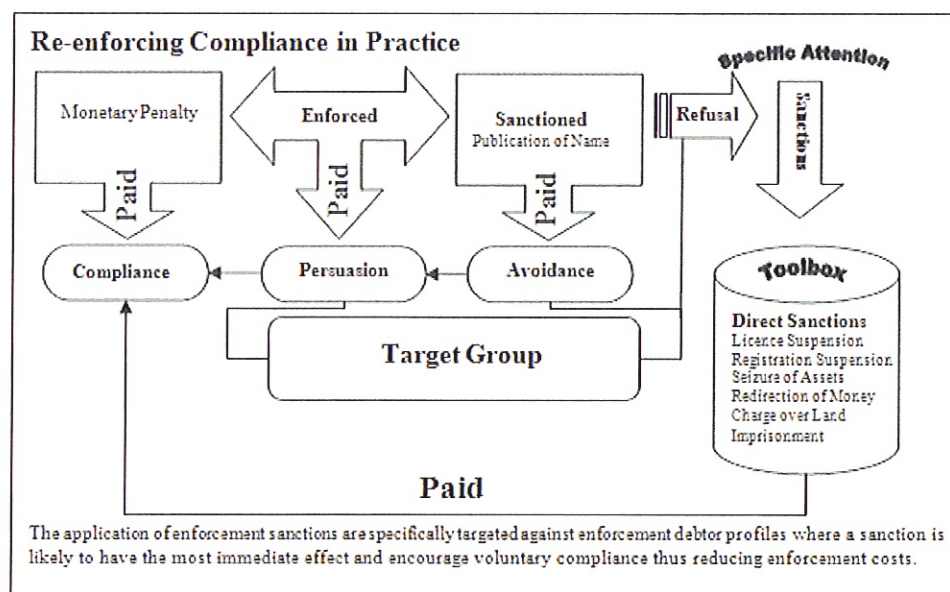
These profiles include:

- high volume (repeat offenders);
- high value monetary penalties (serious breaches);
- specific offences (supporting Road Safety or other partnership initiatives);
- defaulted re-payment plans (missed payments).

The program addresses compliance issues in terms of priority and relevance. It also outlines how we work with specific client assistance groups – who perform a vital role in the delivery services and the message of **'Don't let it cost you more'** – and how we tackle serious avoidance issues.

THE COMPLIANCE MODEL IN PRACTICE

The practical application of the MPES compliance model can be seen in the following diagram. It shows that by applying pressure to the 'Avoidance' and 'Refusal' groups of enforcement debtors we are able to persuade, coerce and encourage compliance.



The 'MPES Compliance Model' is based on a range of compliance behaviours. These behaviours are made up of four main 'attitudes and behaviours' towards compliance.

- compliance;
- persuasion;
- avoidance; and
- refusal.

A fifth attitude or behaviour can be described as 'game players'.

A game player sits anywhere within the compliance pyramid and is considered a subcategory of the four main attitudes. A client maybe willing to comply but, if their attitude is one of winning against the system, then they are considered a "game player."

The five attitudes of compliance behaviour are outlined below.

COMPLIANCE: 'WILLING TO DO THE RIGHT THING'

This attitude represents those clients who:

- are ready, willing, and able to comply;
- are committed to meeting their obligations;
- have accepted that they have a responsibility to comply;
- consider that there is a moral or ethical obligation to comply; and
- regulate their own compliance.

PERSUASION: 'TRY TO, BUT DON'T ALWAYS SUCCEED'

This attitude represents those clients who:

- do not actively resist the system;
- often require additional assistance to meet their obligations;
- try to get things right but often get things wrong; and
- acknowledge that, if they cooperate, then assistance is available to them.

AVOIDANCE: 'DON'T WANT TO COMPLY'

This attitude represents those clients who:

- actively resist the system;
- try to avoid meeting their compliance obligations; and
- believe MPES is actively pursuing people to raise revenue rather than provide assistance and help them meet their compliance obligations.

REFUSAL: 'HAVE DECIDED NOT TO COMPLY'

This attitude represents those customers who:

- are no longer or were never willing to comply;
- do not care that they are not doing the right thing; and
- will not take any steps to change their situation.

GAME PLAYERS

This attitude represents those customers who:

- enjoy the challenge of 'winning' against the system;
- do not necessarily think they are doing the wrong thing;
- often believe that they are fulfilling their social obligations;
- often operate within the bounds of the law; and
- believe they are doing the right thing.

Game players are a unique group in that they can sit anywhere within the compliance pyramid and require specific attention in order to ensure compliance.

ENCOURAGING COMPLIANCE

To determine the most appropriate response for the client, the factors that may influence compliance attitudes and behaviour are considered. Once an understanding of the factors influencing compliance is achieved, it allows for the development of strategies that are appropriate and effective for that client.

Our responses encourage clients to move down the compliance pyramid, resulting in improved compliance rates. Examples of the practical application of this model include:

- improving MPES' image within the community;
- partnership Initiatives;
- relationship Management; and
- enforcement Campaigns.

IMPROVING MPES' IMAGE WITHIN THE COMMUNITY

A positive public image has flow-on effects in terms of reducing client antagonism towards compliance. This is achieved through initiatives such as making available information about the role of MPES, actively participating in whole-of-government approaches in the delivery of services, and improving the information that MPES provides and, the timeliness of its delivery.

PARTNERSHIP INITIATIVES

The development of partnerships assists to broaden the message of compliance. This is a long-term initiative addressing the interactions of clients with a range of stakeholders to identify and eradicate barriers to compliance, exploring ways to streamline business solutions and simplify shared processes tailoring services to improve compliance.

PURPOSE

Partnership initiatives improve compliance rates by developing a responsive approach to client needs through a targeted mix of activities. The core purpose of partnership initiatives can be articulated as follows: "Using the compliance model, we will develop, test, and implement a relationship-based approach working with all clients and stakeholders to encourage and enable early compliance.

This is achieved by establishing and building relationships with the wider community and developing and applying general and targeted leverage techniques, including targeted enforcement action through enhanced business intelligence. By developing a good understanding of our client base, MPES can be effective in addressing compliance issues.

There are three main aspects to developing and building partnership initiatives:

- relationship management;
- leverage; and
- enforcement campaigns

OBJECTIVES

Undertaking these three activities will:

- increase compliance and rates of return to all stakeholders;
- increase MPES's presence and perception within the community; and
- ensure that MPES resources are targeted at the highest risk cases.

RELATIONSHIP MANAGEMENT

MPES seeks to identify specific business partners with whom development of strategic relationships will assist increasing rates of collection. Dedicated teams initiate and maintain associations with specified client groups. These relationships assist to identify specific issues that maybe affecting compliance and provide solutions-based recommendations.

The development of these relationships provides opportunities to gather intelligence which in turn assists identify specific levels of intervention required to address compliance risks and priorities for enforcement.

LEVERAGE

The use of leverage allows the development of systematic approaches to encouraging compliance, through persuasion and influence, and with judicious use of existing resources and new and existing tools.

In this context, leverage is a stepped process of applying downward pressure to enforcement debtors based on where they fit within the 'Compliance Model'. It is incremental and increases in intensity where the attitude to compliance is more resistant.

The application of leverage is classified into three distinct types:

- general;
- specific; and
- targeted.

GENERAL

Applied to the broader community in the form of media such as advertising (communication) campaigns such as **'Don't let it cost you more'**.

SPECIFIC

Applied to a targeted group of enforcement debtors based on specific intelligence. The application of such leverage aims to make compliance issues relevant and demonstrate ways behaviour can be modified.

TARGETED

Applied to specific groups, they are personal, direct, and specific about the course of action that needs to be taken. Each activity has unique qualities justifying its inclusion to reach different levels of the compliance model to achieve the overall aim of changing behaviour.

CAMPAIGNS

The partnership initiative approach is to apply the 'Compliance Model' concept in all aspects of our dealings. This ensures that compliance attitudes, coupled with the factors that influence individual decisions and behaviours, are taken into account and the most appropriate action (compliance response) is used.

Established strategic partnerships are used to obtain information and specific intelligence to develop enforcement debtor profiles and provide the opportunity to identify additional sources of intelligence.

The release of such information and intelligence by strategic partners assists the enforcement process by ensuring that those working within the industry are on a level playing field. Obtaining information and intelligence relating to identified enforcement debtor profiles allows MPES to further enhance risk identification issues to specifically target enforcement activity.

PURPOSE OF CAMPAIGNS

The purpose of campaigns is to ensure the cost-effective delivery of services by:

- encouraging compliance by providing helpful information and advice;
- measuring the effectiveness of existing campaigns on compliance levels; and
- delivering intelligence-based enforcement solutions.

Part of this strategy is to detect the levels of non-compliance within the community and to apply specifically targeted enforcement strategies accordingly. Based on information received, investigations and other analysis the context and focus of the compliance model to the team's actions are determined.

APPLICATION OF THE COMPLIANCE MODEL

Background analysis is undertaken to ascertain the specific features unique to relevant enforcement debtor profiles. This analysis determines the extent to which enforcement actions are delivered or required in each individual case. The following strategies are delivered to assist in the application of the 'Compliance Model'.

MAKING IT EASIER

MPES makes it easy for anyone who has received a monetary penalty to meet their obligation by offering a range of flexible payment options for the convenience of the Tasmanian community.

ASSISTANCE

The establishment of strategic partnerships provides opportunities to:

- engage subject matter experts in the delivery of services; and
- deliver compliance-based educational initiatives and programs.

As part of our standard enforcement activity, MPES provides specific information sessions as part of the process. These sessions also address debt management options available to the broader community and other client groups.

A range of payment methods offered to all clients is shown below.

Payment Methods



BPAY Biller Code **24661**



INTERNET www.servicetasmania.tas.gov.au



PHONE 1300 366 772



IN PERSON Service Tasmania

FOR FURTHER OPTIONS Call 1300 366 776 to discuss

PUBLICITY - COMMUNICATION

The success of the MPES compliance model is communication, our most effective enforcement tool. Considerable work has been undertaken to engage all law enforcement, non-profit community-based financial assistance and other service providers in the delivery of information and educational briefing sessions on the operations of MPES.

All correspondence issued by MPES includes a "Got a Fine?" brochure, to re-enforce the compliance message. A copy of this brochure is available at www.justice.tas.gov.au/fines.

This brochure outlines the consequences of non-compliance and explains that payment by instalment is possible. The aim is to encourage fine defaulters to make contact with MPES if they are unable to pay and to discuss payment options.

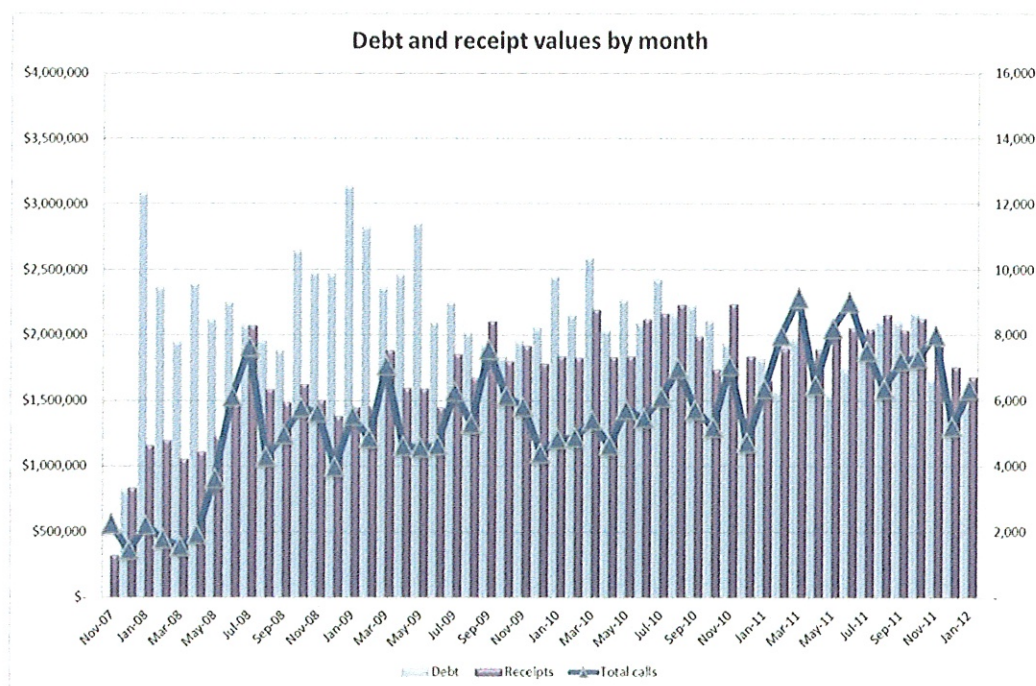
These communication campaigns have proven to be very successful with a substantial improvement in compliance rates before any formal enforcement action is initiated.

TELE-COMMUNICATIONS

Over the past twelve months MPES has been able to improve on the effectiveness of its telecommunication capabilities in support of the MPES compliance model.

There is strong evidence of a direct correlation between the number of telephone communications and an increase in receipts (collections).

The following diagram demonstrates that when the MPES contact centre activity levels are high there is a marked increase in the value of monies collected.



HOW WE ORGANISE OUR WORK

The compliance model is focused towards targeted enforcement debtor profiles used to tailor our activities across a range of clients based on specific demographics.

In 2011-12 these profiles have included the following:

- high volume and value (repeat offenders);
- specific offence types
(supporting Road Safety or other partnership initiatives); and
- defaulted re-payment plans (missed payments).

PROFILING

The compliance model addresses **compliance** issues in terms of relevance and priority. It also supports how MPES has worked with specific stakeholder and client groups to combat serious avoidance issues. These groups have performed a vital role in the delivery of services and the message of **'Don't let it cost you more'**.

The following table shows a breakdown of enforcement debtor profiles based on Tasmanian court regions as of 10 February 2012. The value shown as outstanding includes enforcement costs in addition to the original monetary penalty value.

Court Region	Enforcement Debtors	Number of Notices	Outstanding
Burnie	4,798	40,919	\$5,469,736
Devonport	5,141	46,653	\$6,623,705
Hobart	26,060	233,278	\$29,826,589
Launceston	13,778	104,559	\$16,422,836
Other	9,803	32,832	\$8,858,085
Totals	59,580	458,241	\$67,200,951

STATISTICAL INFORMATION

STATUS OF REFERRED DEBT FOR 2011-2012

The following table shows the number, status and outstanding value of all monetary penalties referred for enforcement in 2011- 2012 to the period ending 10 February 2012. The status indicates the position of the monetary penalty within the enforcement cycle.

Penalty Type and Status	Penalties	Debtors	Imposed	Outstanding
Infringement Notices			\$	\$
Available for Enforcement	16,144	11,082	2,014,611	1,965,882
Enforcement Order not due	69	27	10,188	9,988
Enforcement Order overdue	2,865	2,278	347,308	335,108
Making Payment	3,791	1,723	515,171	483,298
Not Due	4,435	4,236	655,310	651,435
Overdue (not yet ready for enforcement)	1,976	1,529	288,012	275,540
Sanctioned	1,096	723	141,516	140,160
Satisfied	35,973	30,920	4,533,613	-
Withdrawn	6,238	5,700	1,081,999	-
Sub Total	72,587	58,218	9,587,727	3,861,411
Court Fines			\$	\$
Available for Enforcement	3,682	2,554	1,300,756	1,233,630
Enforcement Order not due	24	13	11,335	11,194
Enforcement Order overdue	399	335	192,466	184,533
Making Payment	1,050	766	536,782	455,479
Not Due	1,015	809	344,228	340,619
Overdue (not yet ready for enforcement)	806	481	252,245	235,669
Sanctioned	479	352	180,777	180,544
Satisfied	2,415	2,166	907,822	-
Withdrawn	57	46	24,985	-
Sub Total	9,927	7,522	3,751,397	2,641,667
Report Totals	82,514	65,740	13,339,124	6,503,078

In 2011-12 a total of 65,740 persons received a monetary penalty with 33,086 or 50% paying their obligation in full. The gross value of referred debt in 2011-12 totalled \$13,339,124 with 8% or \$1,106,984 having been withdrawn by the issuing authority.

STATUS OF ALL OUTSTANDING DEBT

The following table shows the number, status and outstanding value of all monetary penalties as of 30 June 2011 regardless of the referral year. The status indicates the position of the monetary penalty within the enforcement cycle.

The values shown as outstanding, in the table below, exclude any fees imposed as part of the enforcement process. It demonstrates that court fine impositions remain to be of a higher outstanding value than infringement notices due to the nature of the offences.

Penalty Type and Status	Outstanding as at 30/06/2011	Outstanding as at 31/12/2011
Infringement Notices	\$	\$
Available for an Enforcement Order	2,742,961	3,725,200
Enforcement Order not due	12,183	4,373,404
Enforcement Order overdue	4,191,494	2,880,196
Making Payment	475,363	151,720
Not Due	959,531	1,345,380
Overdue	783,074	528,657
Sanctioned	2,367,791	884,536
Sub Total	11,532,397	13,889,093
Court Fines	\$	\$
Available for an Enforcement Order	19,804,507	13,110,688
Enforcement Order not due	66,556	13,745,410
Enforcement Order overdue	12,544,478	11,321,908
Making Payment	2,281,321	617,288
Not Due	496,657	4,024,736
Overdue	1,471,507	475,486
Sanctioned	13,213,361	2,355,037
Sub Total	49,878,387	45,650,553
Report Totals	61,410,784	59,539,646

COLLECTION RATE

A measure of the effectiveness of the fines and infringement collection process is the collection rate. This is defined as the 'value of fines and infringements collected in a financial year as a proportion of the value of fines and infringements imposed (referred to MPES for enforcement), less the value withdrawn in that year'.

The following table shows a marked improvement in the overall collection rate of all penalties from 63% in 2007-08 to 109% for the part-year 2011-12.

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
	%	%	%	%	%	%
Court Fines	48	56	110	136	149	158
Infringement Notices	69	71	65	74	89	88
All Fines & Infringements	60	63	84	90	105	109

The MPEA provides specific rules for the allocation of receipts to oldest debt first, which in the vast majority of cases is court-related debt (*often resulting from infringements that had previously been referred to court*).

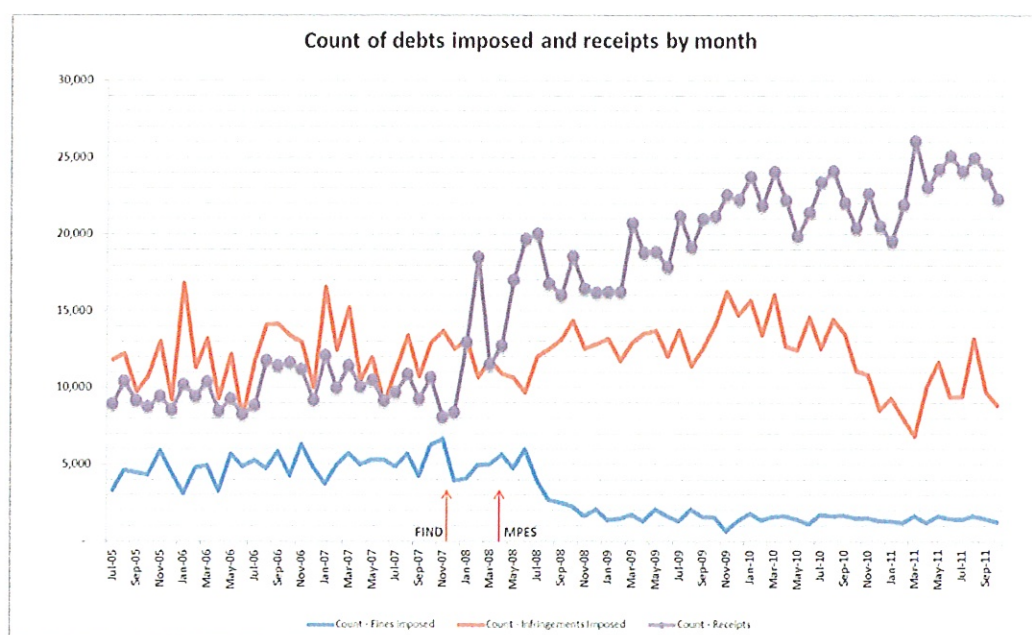
Overall, the increase in collection rates over previous financial years demonstrates the effectiveness of MPES in the collection of monetary penalties due in part to specifically targeted enforcement strategies, priorities and campaigns delivered.

NET PENALTIES REFERRED

The following table shows the value of monetary penalties referred to MPES for enforcement.

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
	\$	\$	\$	\$	\$	\$
Court Fines	9,809,023	10,929,839	7,430,969	5,739,313	5,303,509	4,444,526
Infringement Notices	12,476,660	11,564,631	13,862,390	16,563,044	14,321,690	5,898,370
All Fines & Infringements	22,285,683	22,494,470	21,293,359	22,557,460	19,625,199	10,342,896

The following graph shows the number of infringement notices and court fines referred for enforcement each financial year from 1999-00 to 2010-11. It demonstrates a steady increase in the number of receipts collected each year indicating more people are paying.



AGED DEBT

The following table shows a comparison of the aged-debt profile between the 2010-11 and 2011-12 financial years to the period ending 31 December 2011.

	<90 Days	90 Days +	180 Days+	>1Year	Total
As at 30 June 2011	\$	\$	\$	\$	\$
Infringement Notices	5,410,428	3,250,304	3,839,789	576,884	13,077,405
Court Fines	15,444,570	4,835,107	8,106,300	18,871,727	47,257,704
All Infringements & Fines	20,854,998	8,085,411	11,946,089	19,448,611	60,335,109
As at 31 Dec 2012	\$	\$	\$	\$	\$
Infringement Notices	5,580,665	1,635,960	2,053,103	4,619,175	13,888,903
Court Fines	15,696,839	2,614,788	3,182,088	24,153,494	45,647,209
All Infringements & Fines	21,277,504	4,250,748	5,235,191	28,772,669	59,536,112

DEBT PROFILE BY CREDITOR TYPE

The table below provides a breakdown of the value of impositions, withdrawals, receipts and payments for all monetary penalties owed to specific creditor groups in 2010-11.

	Imposed	Withdrawn	Receipted	Paid
Creditor Type	\$	\$	\$	\$
Appeals Cost Fund	34,970	7,094	70,305	70,128
Commonwealth Government	29,926	15,218	140,068	128,467
Compensation	299,697	39,932	114,210	118,723
Consolidated Fund	23,243,901	4,346,292	20,775,419	20,942,070
Confiscation of Profits	5,800	-	-	-
Interstate Jurisdiction	634	6,902	9,030	1,484
Local Government	2,443,921	230,079	2,015,309	1,986,821
Other	9,814	-	9,327	10,138
State Government	232,426	39,786	167,795	184,913
Unknown Creditor	65,610	25,800	100,300	120,804
Victims of Crime	393,232	2,660	302,697	299,773
Totals	26,759,931	4,713,763	23,704,460	23,863,321

MOVEMENT IN DEBT OWED TO SPECIFIC CREDITOR GROUPS

The following table shows the status of all outstanding monetary penalties at the commencement of the 2010-11 financial year as at the period ending 30 June 2011.

	As at 01-JUL-10		As at 30-JUN-11	
Creditor Type	Notionally Outstanding	Payments Pending	Notionally Outstanding	Payments Pending
	\$	\$	\$	\$
Appeals Cost Fund	369,995	1,158	329,061	1,118
Commonwealth Government	615,318	5,136	520,499	1,458
Compensation	1,339,265	52,543	1,451,217	48,165
Consolidated Fund	54,235,271	430,677	53,066,955	303,288
Interstate Jurisdiction	97,142	14,318	106,579	20,752
Local Government	9,237,465	24,080	9,336,148	43,228
Other	21,282	427	49,959	797
State Government	302,540	5,607	341,217	7,932
Unknown Creditor	735,030	137,071	626,308	38,910
Victims of Crime	2,166,124	4,732	2,213,638	4,604
Totals	69,119,432	675,749	68,041,581	470,252

ANNEXURES

Overview of services

Compliance model

Enforcement orders and sanctions

Payment variations

Overview of Services

The Director, Monetary Penalties Enforcement Service is the sole authority responsible for the collection and enforcement of monetary penalties imposed by way of infringement notice or by order of a court.

All monetary penalties are issued with a period of 28 days within which payment must be made. Failure to pay within this time results in enforcement action under the *Monetary Penalties Enforcement Act 2005* (the Act).

The Act provides for a range of enforcement sanctions that the Director will impose against those who have failed to pay their monetary penalty.

Options for dealing with a monetary penalty!

Unless withdrawn, paid in full or in accordance with an approved variation of payment conditions notice a monetary penalty will be subject to enforcement action.

Enforcement orders and sanctions attract additional fees which are also recoverable under the Act.

Infringement Notice (within 28 days of service)

1. Pay the monetary penalty in full;
2. Apply to the issuing authority for a withdrawal;
3. Elect to contest the offence in court; or
4. Apply for a variation of payment conditions

Court imposed fine (within 28 days)

1. Pay the monetary penalty in full;
2. Apply to the issuing authority for a withdrawal; or
3. Apply for a variation of payment conditions

Enforcement Order (within 14 days)

1. Pay the monetary penalty in full;
2. Apply to suspend the enforcement order; or
3. Apply for a variation of payment conditions

Variation of Payment Conditions Notice (VPCN)

1. Pay in accordance with the VPCN; or
2. Pay in full.

A range of flexible payment options are available as shown below. Anyone experiencing financial difficulties is encouraged to contact MPES to discuss how to vary their payment conditions.



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IN PERSON Service Tasmania

FOR FURTHER OPTIONS Call 1300 366 776 to discuss

Payments received by MPES are allocated, in accordance with specific rules provided for in the Act, to the oldest outstanding monetary penalty.

If a monetary penalty that has been paid is withdrawn and providing there are no other outstanding monetary penalties the enforcement debtor will receive a refund of any monies previously paid with respect to that penalty.

Deemed Convictions

Unless withdrawn or a notice to elect a court hearing has not been provided a person is automatically convicted of the offences set out in an infringement notice within 28 days of its issue and service.

Enforcement Sanctions

Imposed as a last resort against those who have failed to comply with the conditions of an enforcement order sanctions are used to encourage payment.

Once imposed enforcement sanctions remain in force until the monetary penalty is withdrawn, paid in full or in accordance with an approved VPCN.

Anyone who is overly disadvantaged through the imposition of an enforcement sanctions is encouraged to contact MPES to discuss payment options.

Further information

For further information visit www.justice.tas.gov.au/fines or phone 1300 366 776 or email fines@justice.tas.gov.au

Frequently Asked Questions

Where do monetary penalties come from?

MPES does not issue infringement notices or fines; it collects them on behalf of State and Local Government agencies and Tasmanian courts.

Most fines come from infringement notices issued by the Tasmanian Police Service or from Local Government Councils enforcing parking regulations and other local laws. These fines are referred to MPES for enforcement.

How to find out more about fines?

If you want to know more about your fines and why the fine was issued, or why it was referred to MPES, you should contact the agency that referred it. Contact details for the referring agency are included on your original infringement or notice of fine.

Why didn't I find out about my fine earlier?

If an infringement notice couldn't be given directly to you (parking, road safety camera etc), the address on your vehicle registration may have been used to post you the original notice.

Having an out of date address on your driver licence or vehicle registration is the most common reason why people miss their first chance to pay their fines.

Can my fines be waived?

MPES did not issue your infringement notice, so we are unable to waive your fine.

If you didn't know about your fine and have not elected a court hearing you may be able to apply to a court to set aside the deemed conviction, vary or reduce the penalty.

However, if you do not wish to go to court MPES must continue to enforce the fine unless the agency that referred it withdraws the infringement notice.

Disputes about the validity of the fine or complaints about how it was issued cannot be made with MPES; they must be made to the agency that issued the infringement notice.

What if you refuse to pay?

If you refuse to pay MPES will issue an enforcement order (this will attract an additional fee) for each outstanding infringement notice or fine.

If you continue to avoid payment MPES will publish your name, address, driver licence number and details of your monetary penalty on the internet.

What sanctions can MPES impose?

In addition to the above if you fail to comply with the conditions of an enforcement order the Director will impose any of the following enforcement sanctions.

Direct the suspension of your driver licence, or prevent you from obtaining one. Even if you have a driver licence from another State you will not be allowed to drive in Tasmania;

Direct the suspension of any vehicles registered in your name, this will prevent such vehicles from being driven or parked on any public street;

Seize and sell your property. This could include your vehicle(s) or even your house. You will also be liable for the cost of removing, storing and selling the property so a small fine could cost you a lot of money;

Order your employer or financial institution to deduct monies from your wages, or savings account.

MPES can even issue a warrant for your arrest where at anytime, anywhere, you will have to pay the overdue amount in full or be taken into custody. If you are arrested in Tasmania you will be imprisoned immediately for one (1) day for each \$120.00 owed.

What if you can't afford to pay?

MPES provides a range of payment options to suit most budgets. Instalment plans are available for regular weekly, fortnightly or monthly payments.

You can even arrange deductions through your Centrelink benefit so you don't have to worry about missing a payment.

MPES Compliance Model

Debtor profiles

The compliance model employed by MPES provides a mechanism to assist understanding the factors that may influence compliance behaviour. It allows us the ability to specifically target enforcement debtor profiles to ensure a cost effective enforcement service is delivered to all clients.

There are five classifications or profiles used and each is dealt with differently and in accordance with relevant enforcement priorities. These are shown below.

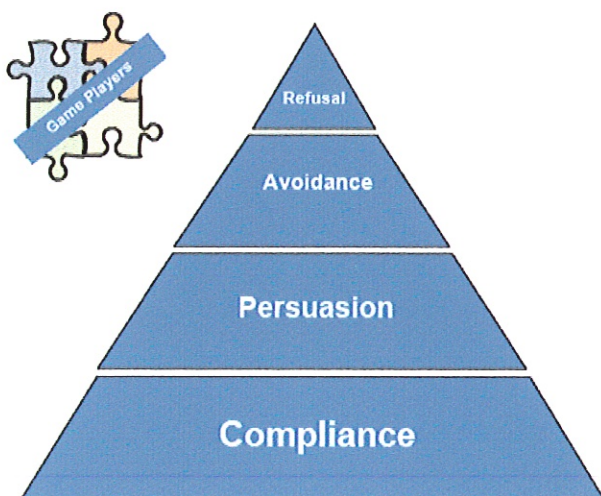
Those identified as sitting within the **'Compliance'** level will pay their monetary penalties by the due date. No specific enforcement action is required for this classification.

Those debtors within the **'Persuasion'** category require minimal enforcement action. The threat of additional costs or the imposition of sanctions will be enough to encourage compliance. This level requires moderate resourcing.

Debtors within the **'Avoidance'** category require moderate enforcement action, data analysis and regular monitoring. This level requires significant resourcing for the imposition of sanctions, client contact, assessing, processing and reviewing of payment variations.

Those debtors identified as sitting within the **'Refusal'** category require intensive enforcement action. This level requires intensive resourcing.

A fifth classification **'Game Players'** can sit anywhere within the compliance model and are dealt with directly.

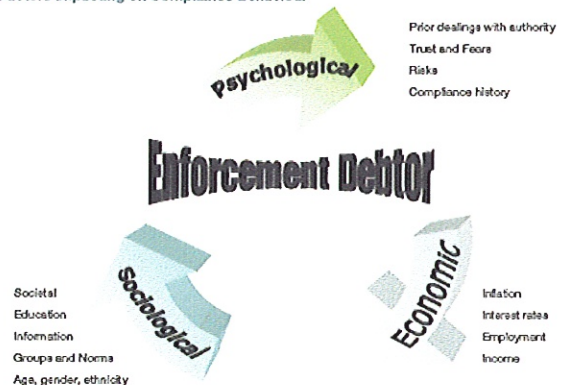


Compliance behaviour

Compliance behaviour can be influenced by many factors and may include psychological, sociological and economic contributors, all of which influence whether a person chooses to meet their obligations imposed under a monetary penalty.

There are many factors that may prevent or impact on an enforcement debtors' ability or willingness to meet their obligations to pay a monetary penalty. These are shown in the following diagram.

Factors Impacting on Compliance Behaviour



The model's core principle is to make compliance as easy as possible for those who want to comply.

The application of enforcement sanctions against enforcement debtors who wilfully seek to avoid or refuse payment increases awareness that payment of monetary penalties is not voluntary.

Delivery of specifically-targeted communication and enforcement campaigns enables us to deal directly with the community to deliver the message of compliance.

The compliance model is directed towards targeted enforcement debtor profiles used to tailor our activities.

The program addresses compliance issues in terms of priority and relevance and how we tackle serious avoidance issues. It also assists with delivery of the message **'Don't let it cost you more'**.

Benefits of the Compliance Model

Encouraging compliance

To determine the most appropriate client response factors that may influence compliance attitudes and behaviour are considered.

Our responses encourage clients to move down the compliance pyramid, resulting in improved compliance rates. Practical application examples of this model include:

- Improving MPES' image within the community;
- Partnership Initiatives;
- Relationship Management; and
- Enforcement Campaigns.

Improving MPES' image within the community

A positive public image has flow-on effects in terms of reducing client antagonism towards compliance. This is achieved by making information readily available and actively participating in whole-of-government service delivery initiatives.

Partnership initiatives

The development of partnerships assists to broaden the message of compliance. This is a long-term initiative addressing the interactions of clients with a range of stakeholders to eradicate barriers to compliance by streamlining business solutions and simplifying processes.

Purpose

Partnership initiatives improve compliance rates by developing a responsive approach to client needs through a targeted mix of activities. Using the compliance model we develop, test, and implement a relationship-based approach involving all clients and stakeholders.

This is achieved by establishing and building relationships within the wider community and developing and applying general and targeted leverage techniques.

There are three main aspects to developing and building partnership initiatives:

- Relationship management;
- Leverage; and
- Enforcement campaigns

Objectives

Undertaking these three activities will:

- Increase rates of compliance;
- Increase MPES's presence within the community;
- Ensure resources are appropriately targeted.

Relationship management

The development of strategic relationships assists increase rates of collection. These relationships enable the identification of specific issues affecting compliance, intelligence gathering and opportunities to deliver solutions-based recommendations.

Leverage

The use of leverage encourages compliance, through persuasion and influence with new and existing technologies, resources and tools.

Leverage is a stepped process of applying downward pressure to enforcement debtors based on where they fit within the 'Compliance Model' and is categorised as: -

- General;
- Specific; and
- Targeted.

General

Applied to the broader community in the form of media and advertising (communication) campaigns.

Specific

Applied to a targeted group of enforcement debtors based on specific intelligence. The application of such leverage aims to make compliance issues relevant and demonstrate ways behaviour can be modified.

Targeted

Applied to specific groups, they are personal, direct, and specific about the course of action that needs to be taken.

Enforcement Orders and Sanctions

The Director, Monetary Penalties Enforcement in accordance with section 49 of the *Monetary Penalties Enforcement Act 2005* (the Act) may impose a range of enforcement sanctions against those who have failed to pay their monetary penalties.

Sanctions are imposed as a last resort they are not used to punish an enforcement debtor but to apply leverage to ensure compliance with the law.

Enforcement Orders

If you fail to comply with the conditions of your monetary penalties, enforcement action will be commenced against you. This will result in the issue of an enforcement order which will attract additional fees for each outstanding penalty.

If you still refuse to pay enforcement sanctions will be imposed which will attract further fees and result in significant inconvenience to you.

To avoid enforcement sanctions you should

1. Pay the monetary penalty in full or in accordance with the terms of a variation of payment conditions notice; or
2. Apply to the issuing authority for the withdrawal of the monetary penalty; or
3. Apply to the court for the withdrawal or reduction of the monetary penalty.

If your monetary penalty is withdrawn all enforcement action is immediately withdrawn and any additional fees are waived.

Failure to pay the enforcement order fee

Unless the original penalty is set aside or withdrawn you have a legal obligation to pay the enforcement order and or sanction fees. Failure to do so will result in further enforcement action and additional fees.

Suspending enforcement action

An application for the suspension of an enforcement order can only be made once and only in respect of an enforcement order issued against an infringement notice penalty.

Applications for the suspension of an enforcement order can be obtained from our website www.justice.tas.gov.au/fines or alternatively from any Service Tasmania outlet state-wide.

When making application to suspend an enforcement order you must provide sufficient information in your application to persuade the Director as to why it should be suspended.

If suspended you only have 28 days to deal with your monetary penalty in accordance with the terms outlined above.

Sanctions

If you fail to comply with an enforcement order further enforcement action will be commenced against you. This will result in the imposition of enforcement sanctions.

Publication of name

This sanction, if your name appears in the published list of enforcement debtors, could have implications on your credit rating, ability to secure credit, rent property or to otherwise secure finance.

Registration and driver licence suspensions

This sanction will prevent any motor vehicle(s) registered in your name from being driven or parked on a public street and prevent you from driving any vehicle.

You will not be able to re-new the motor vehicle registration or your driver licence whilst the subject of this sanction.

Seizure and sale

This sanction will result in the seizure and sale of your assets or the re-direction of your salary or wages or any monies held by you with a financial institution.

Register a charge over land

This sanction acts as a subsequent mortgage over any land in which you may have an interest. Once imposed the Director may sell the land or property in discharge of your outstanding monetary penalties.

How to Pay

A range of payment options are available for your convenience and are shown below.



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PHONE 1300 366 772



IN PERSON Service Tasmania

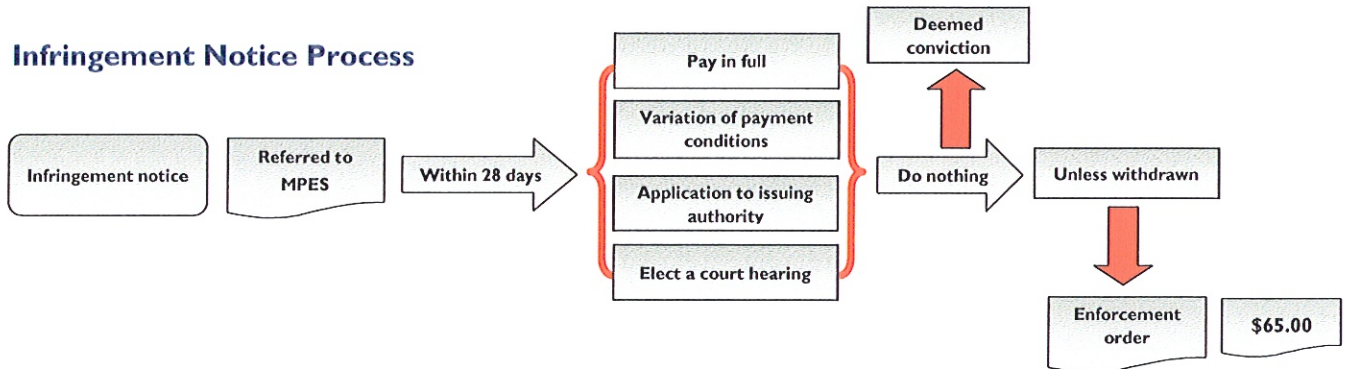
FOR FURTHER OPTIONS Call 1300 366 776 to discuss

Having difficulties making payment

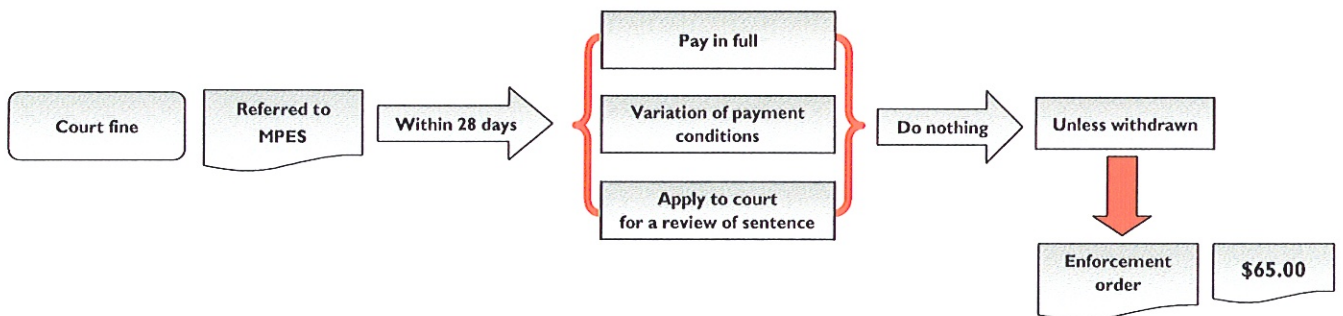
If you are experiencing financial difficulties you should contact us immediately on 1300 366 776 to discuss a repayment plan.

Overview of Process

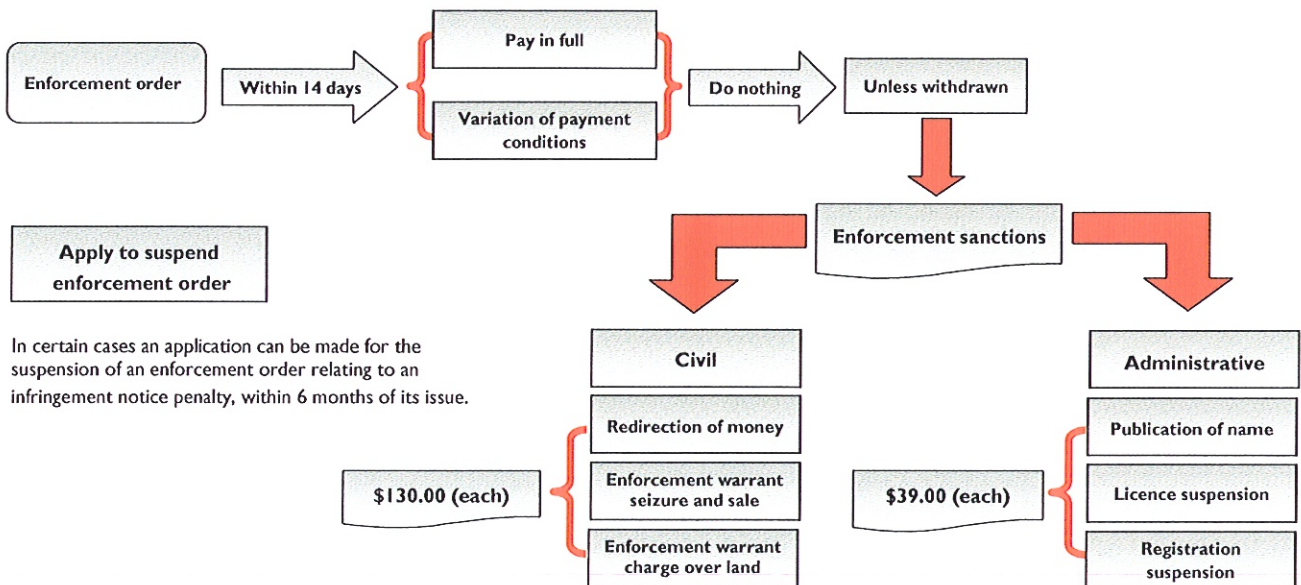
Infringement Notice Process



Court Fine Process



Enforcement Orders and Sanctions



Payment Variations

If you are unable to pay your monetary penalties by the due date you may make application for a variation to your payment conditions.

All monetary penalties are issued with a period of 28 days within which payment must be made. Failure to pay within this time results in enforcement action under the *Monetary Penalties Enforcement Act 2005* (the Act).

The Act provides for a range of enforcement sanctions that the Director will impose against those who have failed to pay their monetary penalties in full or in accordance with the terms of a variation of payment conditions notice.

How to apply

Application forms can be obtained from any Service Tasmania outlet or from the MPES website www.justice.tas.gov.au/fines

If you can pay the amount outstanding within a period of two (2) years you may make application over the telephone, you should call MPES on 1300 366 776 to discuss if this is possible.

When making an application to vary your payment conditions you must provide accurate information as to your financial circumstances, including details of the following.

- Residential and postal address;
- Email and phone numbers including mobile;
- Pay slips;
- Bank statements; and
- Tax returns

If you are currently experiencing financial difficulty you may make application to have your outstanding fines converted to a period of supervised community service. The option to apply for a Monetary Penalty Community Service Order (MPCSO) is contained in the application to vary payment conditions.

Remember

To avoid further costs and enforcement action you should pay your monetary penalties in full or in accordance with the terms of a variation of payment conditions notice (VPCN).

You must notify us of any change in your financial or personal circumstances once issued with a VPCN failure to do so are an offence under the Act.

How to pay

A range of flexible payment options are available.



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PHONE 1300 366 772



IN PERSON Service Tasmania

FOR FURTHER OPTIONS Call 1300 366 776 to discuss

The majority of people choose to use BPAY.

You can also arrange for deductions from your Centrelink benefit so you don't have to worry about missing a payment.

Remember **'Don't let it cost you more!'**

What if I do not pay as directed?

Enforcement sanctions will be imposed resulting in additional costs and inconvenience. So you must pay as directed for example each week, fortnight, or month.

Why do I have to pay so much?

The amount you have been ordered to pay is based on an assessment using the information supplied in your application to vary payment conditions.

Why has my re-payment amount increased?

In accordance with section 27 of the *Monetary Penalties Enforcement Act 2005* the Director can vary a variation of payment conditions notice where there is a material change in your financial circumstances.

Will my enforcement sanctions be revoked?

Once satisfied that you are paying and are likely to continue to pay in accordance with the terms of the VPCN the Director will revoke the enforcement sanctions.

Notification of the revocation of enforcement sanction will be provided to you in writing within 48 hours of the sanction being revoked.

Repayment Calculator Guide

The following is provided as a guide only as to what we may consider in determining your capacity to pay.

Outstanding	Repayment	Repayment Periods						Imprisonment and MPCSO	
		6 Mths	1 Year	2 Years	3 Years	4 Years	5 Years	Days	Hours
\$1,000	Fortnightly	\$ 77						8	58
\$1,500	Fortnightly	\$ 115	\$ 58					13	88
\$2,000	Fortnightly	\$ 154	\$ 77	\$ 37				17	117
\$2,500	Fortnightly	\$ 192	\$ 96	\$ 46	\$ 32			21	146
\$3,000	Fortnightly	\$ 231	\$ 115	\$ 56	\$ 38			25	175
\$3,500	Fortnightly	\$ 269	\$ 135	\$ 65	\$ 45			29	204
\$4,000	Fortnightly	\$ 308	\$ 154	\$ 74	\$ 51			33	233
\$4,500	Fortnightly	\$ 346	\$ 173	\$ 83	\$ 58			38	263
\$5,000	Fortnightly	\$ 385	\$ 192	\$ 93	\$ 64			42	292
\$5,500	Fortnightly	\$ 423	\$ 212	\$ 102	\$ 71	\$ 53		46	321
\$6,000	Fortnightly	\$ 462	\$ 231	\$ 111	\$ 77	\$ 58		50	350
\$6,500	Fortnightly	\$ 500	\$ 250	\$ 120	\$ 83	\$ 63		54	379
\$7,000	Fortnightly	\$ 538	\$ 269	\$ 130	\$ 90	\$ 67		58	408
\$7,500	Fortnightly	\$ 577	\$ 288	\$ 139	\$ 96	\$ 72		63	438
\$8,000	Fortnightly	\$ 615	\$ 308	\$ 148	\$ 103	\$ 77		67	467
\$8,500	Fortnightly	\$ 654	\$ 327	\$ 157	\$ 109	\$ 82		71	496
\$9,000	Fortnightly	\$ 692	\$ 346	\$ 167	\$ 115	\$ 87		75	525
\$9,500	Fortnightly	\$ 731	\$ 365	\$ 176	\$ 122	\$ 91		79	554
\$10,000	Fortnightly	\$ 769	\$ 385	\$ 185	\$ 128	\$ 96	\$ 77	83	583
\$10,500	Fortnightly	\$ 808	\$ 404	\$ 194	\$ 135	\$ 101	\$ 81	88	613
\$11,000	Fortnightly	\$ 846	\$ 423	\$ 204	\$ 141	\$ 106	\$ 85	92	642
\$11,500	Fortnightly	\$ 885	\$ 442	\$ 213	\$ 147	\$ 111	\$ 88	96	671
\$12,000	Fortnightly	\$ 923	\$ 462	\$ 222	\$ 154	\$ 115	\$ 92	100	700
\$12,500	Fortnightly	\$ 962	\$ 481	\$ 231	\$ 160	\$ 120	\$ 96	104	729
\$13,000	Fortnightly	\$ 1,000	\$ 500	\$ 241	\$ 167	\$ 125	\$ 100	108	758
\$13,500	Fortnightly	\$ 1,038	\$ 519	\$ 250	\$ 173	\$ 130	\$ 104	113	788
\$14,000	Fortnightly	\$ 1,077	\$ 538	\$ 259	\$ 179	\$ 135	\$ 108	117	817
\$14,500	Fortnightly	\$ 1,115	\$ 558	\$ 269	\$ 186	\$ 139	\$ 112	121	846
\$15,000	Fortnightly	\$ 1,154	\$ 577	\$ 278	\$ 192	\$ 144	\$ 115	125	875
\$15,500	Fortnightly	\$ 1,192	\$ 596	\$ 287	\$ 199	\$ 149	\$ 119	129	904
\$16,000	Fortnightly	\$ 1,231	\$ 615	\$ 296	\$ 205	\$ 154	\$ 123	133	933
\$16,500	Fortnightly	\$ 1,269	\$ 635	\$ 306	\$ 212	\$ 159	\$ 127	138	963
\$17,000	Fortnightly	\$ 1,308	\$ 654	\$ 315	\$ 218	\$ 163	\$ 131	142	992
\$17,500	Fortnightly	\$ 1,346	\$ 673	\$ 324	\$ 224	\$ 168	\$ 135	146	1,021
\$18,000	Fortnightly	\$ 1,385	\$ 692	\$ 333	\$ 231	\$ 173	\$ 138	150	1,050
\$18,500	Fortnightly	\$ 1,423	\$ 712	\$ 343	\$ 237	\$ 178	\$ 142	154	1,079
\$19,000	Fortnightly	\$ 1,462	\$ 731	\$ 352	\$ 244	\$ 183	\$ 146	158	1,108
\$19,500	Fortnightly	\$ 1,500	\$ 750	\$ 361	\$ 250	\$ 188	\$ 150	163	1,138
\$20,000	Fortnightly	\$ 1,538	\$ 769	\$ 370	\$ 256	\$ 192	\$ 154	167	1,167

If you are unable to pay the total amount due in full within a period of two (2) years then you must submit a written application together with all supporting evidence as to your financial affairs.