



SOUTH AUSTRALIA POLICE
KEEPING SA SAFE

Your Ref:
Our Ref: 20/2414
Enquiries:
Telephone: 7322 3347
Facsimile: 7322 4180

Mr Frank Pangallo
SA Best

Email: pangallo.office@parliament.sa.gov.au

Dear Mr Pangallo,

Re: Freedom of Information (FOI) Act application

In reference to your application made pursuant to the Freedom of Information (FOI) Act 1991, access was sought to the following information:

"I would like data on the number of fines issued for driving an unregistered vehicle during the years 2009, 2010, 2012 and 2013"

In relation to the following parts of your request:

"I would like data on the number of fines issued for driving an unregistered vehicle during the years 2009, 2010..."

It is determined that the total number of expiation notices issued for the offence of driving an unregistered vehicle in the calendar year of 2009 was 13,494 and the calendar year of 2010 was 41,428.

The data includes:

- offence codes: C774, I774, M774, M778, N774
- notices which were later withdrawn or subsumed
- notices which were later withdrawn and issued to other owners or drivers
- notices where the offence was committed within the specified calendar year
- notices issued from camera detections and those issued on the spot
- notices issued to drivers and owners

It does not include:

- notices issued for uninsured vehicles (although they may exist on the same notice)

Notices are counted based on the incident date, not the issue date and unregistered offences only became expiable on 1 May 2009.

Offence codes and descriptions are summarised as follows:

C774	OWNER OF AN UNREGISTERED MOTOR VEHICLE DRIVEN ON A ROAD
I774	OWNER OF UNREGISTERED MOTOR VEHICLE DRIVEN ON A ROAD
M774	DRIVE AN UNREGISTERED MOTOR VEHICLE ON A ROAD
M778	OWNER OF AN UNREGISTERED MOTOR VEHICLE FOUND DRIVEN OR STANDING ON A ROAD
N774	DRIVE, OR CAUSE TO STAND, AN UNREGISTERED MOTOR VEHICLE, ON A ROAD

In relation to the following part of your request:

"I would like data on the number of fines issued for driving an unregistered vehicle during the years ... 2012 and 2013"

It is determined to **refuse access** to this data pursuant to s20(1)(b) of the Freedom of Information Act 1991 which relevantly states:-

"An agency may refuse access to a document if it is a document that is available for inspection at that or some other agency (whether as part of a public register or otherwise) in accordance with Part 2, or in accordance with a legislative instrument other than this Act, whether or not inspection of the document is subject to a fee or charge;"

Data that falls within the scope of this part of your request is published in financial years and can be found at <https://data.sa.gov.au/data/dataset/expiation-notice-system-data>. On perusal of the data you will see that *Expiation Offences Codes* appear under *Column 1* of the spreadsheets and the offence codes C774, I774, M774, M778 and N774 correlate with specific legislated offence sections that fall within the scope of your request.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, will be published on the SAPOL website Disclosure Log. A copy of PC045 can be found at https://www.dpc.sa.gov.au/data/assets/pdf_file/0019/20818/PC045-Disclosure-Log-Policy.pdf. If you disagree with publication, please advise the undersigned in writing by 31 August 2020.

Your rights to review

If you are dissatisfied with the determination for access to SAPOL records, you are entitled to exercise your right of internal review in accordance with section 29(1) of the FOI Act by completing a PD362 Application for Internal Review form (available upon request at your nearest police station), or an application may be made in writing to SAPOL Freedom of Information Unit. This must be lodged within 30 days from the date of this determination with a fee of \$36.75. Such a fee may be waived in the event of an exemption being claimed.

Yours sincerely,



Senior Sergeant First Class Tracy Gentgall
Officer in Charge

Freedom of Information Unit
(Accredited Freedom of Information Officer)

15 July 2020