

Section 22 of the Infringements Act 2006



22. Application for internal review

(1) A person who has been served with an infringement notice or a person acting on that person's behalf with the first-mentioned person's consent, may apply to the relevant enforcement agency for review of the decision to serve the infringement notice if the person believes—

(a) the decision—

(i) was contrary to law; or

(ii) involved a mistake of identity; or

(b) that special circumstances apply to the person; or

(c) the conduct for which the infringement notice was served should be excused having regard to any exceptional circumstances relating to the infringement offence.

(2) An application under sub-section (1)—

(a) may be made—

(i) in the case of a lodgeable infringement offence, at any time before the infringement penalty is lodged with an infringements registrar; and

(ii) in the case of any other infringement offence, at any time before the expiry of the period for bringing a proceeding in relation to the offence to which the infringement notice relates;

(b) must be in writing; and

(c) must state the grounds on which the decision should be reviewed; and

(d) must provide the applicant's current address for service of the notice under section 24(3) of the outcome of the decision; and

(e) may only be made once in relation to any one infringement offence in respect of the applicant.

