**ORDER – FORFEITURE OR IMPOUNDING OF MOTOR VEHICLE**

**Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007**

[*SUPREME/DISTRICT/MAGISTRATES/**YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**[*FULL NAME*]**

**Informant/R**

**v**

**[*FULL NAME*]**

**Defendant/Youth**

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| **Defendant/Youth**  |
| Relationship to vehicle |  |
|  | **Relationship eg registered owner/security interest holder/likely to suffer financial or physical hardship/other** |
| Name |  |
| **Full Name and ACN/ABN if applicable** |
| Address |  |
| **Street Address (including unit or level number and name of property if required)** |
|  |  |  |  |
| **City/town/suburb** | **State** | **Postcode** | **Country** |
|  |
| **Registered office if body corporate** | **Email address** |
| Phone Details |  |  |
| **Type (eg. Home; work; mobile) – Number** | **Another number** |

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| **Introduction****Hearing**Hearing Location: [*suburb*][*Hearing date*] [*Listed starting time*]Hearing type:[*Presiding Officer*]**Remarks**The Court is satisfied that application has been made by the Prosecution to the Court that recorded the conviction of the [*Defendant/Youth*] [*number*] [*name*] of a prescribed offence under section 12 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* and the [*Defendant/Youth*]:

|  |  |  |
| --- | --- | --- |
|  | (a) | has been convicted of a forfeiture offence namely, [*description of offence*].  |
|  | (b) | has been found guilty of or expiated 1 other prescribed offence committed or allegedly committed within 10 years of the date of the offence, namely [*description of offences]* and section 12(1)(a) of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* does not apply. |
|  | (c) | has been found guilty of or expiated at least 1 other prescribed offence committed or allegedly committed within 12 months of the offence, namely [*description of offence[s], date of conviction*]. |
|  | (d) | has been found guilty of or expiated at least 2 other prescribed offences committed or allegedly committed within 10 years of the date of the offence, namely [*description of offences*]. |
|  | (e) | used a motor vehicle in the commission on the offence and that motor vehicle was not at the time stolen or otherwise unlawfully in their possession or being used by them in circumstances (if any) prescribed by regulation. |
|  | (f) | is a registered owner of the motor vehicle.  |

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| **Order****Date of Order**: [*date*]**Terms of Order**It is ordered that:**Orders in separately numbered paragraphs.**

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| --- | --- | --- |
|  |  | **if made under sections 12(1)(a)(i), 12(1)(a)(ii) or 12(1)(a)(iii)** The motor vehicle specified is forfeited to the Crown.  |
|  |  | **if made under section 12(1)(b)** The motor vehicle specified be impounded by the relevant authority for a period of [*months/days*]. **must not exceed six months** |
|  |  | The [*Defendant/Youth*] pay to the relevant authority fees calculated in accordance with the regulations in relation to the [*forfeiture/impounding*] of the motor vehicle, namely the sum of [*amount*].  |
|  |  | The [*Defendant/Youth*] pay the [*clamping/impounding*] fees to the Commissioner, namely the sum of [*amount*]. |
|  |  | **provision for multiple** [*other orders*]. |

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| **Motor vehicle subject of order**  |
| Registration number |  |
| **Number** |
| Plate number |  |
| **Number** |
| Garaging address |  |
| **Street** **– include unit or level number and/or name of property if necessary** |
|  |  |  |
| ***City/Town/Suburb*** | ***State***  | ***Postcode*** |
| Make of vehicle  |  |
| **Make (if known)** |
| Model of vehicle |  |
| **Model (if known)** |
| Year of manufacture  |  |
| **Year (if known)** |
| Engine number |  |
| **Engine number (if known)** |
| Vehicle identification number |  |
| **VIN number (if known)** |

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| **Authentication**…………………………………………Signature of Court Officer[*title and name*] |