

Magistrates Court (Withdrawal of Infringement Notices) Guidelines 2024 (No 1)

Disallowable instrument DI2024-153

made under the

***Magistrates Court Act 1930*, section 128 (Guidelines about withdrawal of infringement notices)**

EXPLANATORY STATEMENT

Section 128 of the *Magistrates Court Act 1930* (the Act) provides that the Minister may issue guidelines for the withdrawal of infringement notices. An administering authority must comply with the guidelines. Withdrawal of an infringement notice has the effect that the offence never happened, that is, all penalties associated with the offence (financial and demerit points) do not apply.

Clause 1 and 2 are formal provisions that deal with the name and commencement of the instrument.

Clause 3 establishes that schedule 1 contains the guidelines for withdrawal of infringement notices. Schedule 1 outlines the methods and grounds for an application for a withdrawal of an infringement notice.

Clause 4 sets out the definitions used in the instrument.