



New South Wales

# Fines Amendment (Parking Fines) Regulation 2025

under the

Fines Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Fines Act 1996*.

COURTNEY HOUSSOS, MLC  
Minister for Finance

## **Explanatory note**

The object of this regulation is to amend the *Fines Regulation 2020* consequent on the commencement of the *Fines Amendment (Parking Fines) Act 2024*.

## **Fines Amendment (Parking Fines) Regulation 2025**

under the

Fines Act 1996

### **1 Name of regulation**

This regulation is the *Fines Amendment (Parking Fines) Regulation 2025*.

### **2 Commencement**

This regulation commences on the commencement of the *Fines Amendment (Parking Fines) Act 2024*, Schedule 1.

## Schedule 1 Amendment of Fines Regulation 2020

[1] **Clause 3, heading**

Omit “**Definition**”. Insert instead “**Definitions**”.

[2] **Clause 3(1)**

Insert in alphabetical order—

*remote parking enforcement system*, for Part 2A—see clause 5A.

[3] **Part 2A**

Insert after Part 2—

### Part 2A Parking offences—special provisions

**5A Definition**

In this part—

*remote parking enforcement system* means a system for enforcing requirements relating to parking offences that does not require an individual, on behalf of the issuing agency, to be at the location where an offence occurs.

**Examples—** number plate input systems, number plate recognition systems

**5B Prescribed particulars for written notices other than penalty notices**

(1) For the Act, section 24AC(2)(b)(i), the following particulars are prescribed—

(a) the nature of the parking offence,

**Example—** parked in a no stopping zone

(b) the date, time and location of the offence,

(c) the registration number of the vehicle involved in the offence,

(d) notice that no payment is required until after a penalty notice is issued in relation to the offence.

(2) In this clause—

*registration number* has the same meaning as in the *Road Transport (Vehicle Registration) Regulation 2017*.

**5C Grounds for not attaching notification**

For the Act, section 24AD(1)(d), it is not necessary to attach a notification in the following circumstances—

(a) if the vehicle involved in the parking offence has moved before a notification can be attached to the vehicle,

(b) if the appropriate officer—

(i) requires internet access or telephone service to confirm whether, in the officer’s opinion, a parking offence has been committed, and

(ii) it is not possible for the officer to access the internet or a telephone service at the time the officer observes the vehicle involved in the alleged offence,

(c) if the parking offence is an offence under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*,

(d) if the vehicle involved in the parking offence is—

- (i) a heavy vehicle, within the meaning of the *Heavy Vehicle National Law (NSW)*, or
- (ii) a trailer within the meaning of the *Road Transport Act 2013*.

**5D Reports relating to grounds for not attaching notification—the Act, s 24AD(4)**

- (1) The head of an issuing agency must, within 28 days after the end of each reporting period—
  - (a) prepare a report in the approved form, and
  - (b) publish the report on the issuing agency’s website, and
  - (c) give a copy of the report to the Commissioner.
- (2) The report must include, in relation to the preceding reporting period, the following information—
  - (a) the number of penalty notices issued by the issuing agency for parking offences,
  - (b) the number of penalty notices for which no notification was attached to a vehicle,
  - (c) for penalty notices referred to in paragraph (b)—
    - (i) the number of times each of the grounds in the Act, section 24AD(1)(a)–(c) and clause 5C(a), (b) or (d) were relied on by an appropriate officer, and
    - (ii) for penalty notices where no notification was attached because an officer concluded it was not safe to do so—the number of times each basis for concluding it was not safe was relied on,
  - (d) the number of penalty notices invalidated under the following provisions of the Act—
    - (i) section 24AE(2),
    - (ii) section 24AG,
    - (iii) section 24AH(1)(a),
    - (iv) section 24AH(1)(b),
  - (e) a statement from the head of the issuing agency certifying the accuracy and completeness of the information in the report.
- (3) In this clause—

***basis for concluding it was not safe*** means each of the following—

  - (a) verbal intimidation,
  - (b) physical intimidation,
  - (c) assault,
  - (d) assault using a weapon,
  - (e) the threat of an animal,
  - (f) extreme weather,
  - (g) the location of the vehicle,
  - (h) other reason.

***reporting period*** means—

  - (a) for the first 2 reports required to be prepared under this clause—each period of 3 months after the commencement of this clause, or
  - (b) otherwise—a period of 6 months ending on 30 June or 31 December.

**5E Reasons for not attaching notification—the Act, s 24AD(5)**

- (1) This clause applies to an appropriate officer who does not attach a notification under the Act, section 24AC to a vehicle relying on an exception under—
  - (a) the Act, section 24AD(1)(a), or
  - (b) clause 5C(b).
- (2) The appropriate officer must include details in the record of reasons of the circumstances that led the officer to conclude the exception applied at the time the officer issued, or proposed to issue, a penalty notice for the offence.
- (3) In this clause—

**record of reasons** means the record the officer is required to make under the Act, section 24AD(2)(a) setting out the reasons why the officer concluded the exception applied in the circumstances.

**5F Requirements for prescribed parking zone signs**

- (1) For the Act, section 24AD(6), definition of *prescribed parking zone*, paragraph (b), a sign identifying a prescribed parking zone must comply with the requirements of this clause.
- (2) The sign must be positioned—
  - (a) at the entrance to a prescribed parking zone, and
  - (b) at an angle and height in accordance with AS 1742.
- (3) If there are other parking controls signs within the prescribed parking zone, one or more additional signs must be positioned—
  - (a) adjacent to the other parking control signs, and
  - (b) at an angle and height in accordance with AS 1742.
- (4) The sign must show the words—
  - (a) “PAPERLESS FINE ZONE” at the top of the sign in white font on a blue background, and
  - (b) “Parking fines may be sent by post or electronically at this location” at the bottom of the sign in black font on a white background.
- (5) The sign must be at least—
  - (a) if the sign is at the entrance to a prescribed parking zone—900mm wide and 825mm high, or
  - (b) otherwise—at least 300mm by 225mm.
- (6) The sign must—
  - (a) if the sign is at the entrance to a prescribed parking zone—use a 65mm high font in accordance with—
    - (i) the Guide to Traffic Management, Part 11, and
    - (ii) AS 1744, series C dimensions,
  - (b) otherwise—use at least a 15mm high font.
- (7) In this clause—

**AS 1742** means Australian Standard AS 1742.11:2016, *Manual of Uniform Traffic Control Devices*, Part 11: Parking Controls.

**AS 1744** means Australian Standard AS 1744:2015, *Standard alphabets for road signs*.

**Guide to Traffic Management** means the *Guide to Traffic Management* published by Austroads Limited on 28 April 2020.

**5G Location of prescribed parking zone signs**

- (1) For the Act, section 24AD(6), definition of **prescribed parking zone**, paragraph (b)(iv), a sign identifying a prescribed parking zone may only be located—
  - (a) at a car park if the car park has—
    - (i) at least 200 parking spaces, and
    - (ii) designated entry and exit points, and
    - (iii) a remote parking enforcement system, or
  - (b) at a car park in lands reserved or acquired under the *National Parks and Wildlife Act 1974*.
- (2) In this clause—  
**car park** means a building or place primarily used for the purpose of parking motor vehicles.

**5H Circumstances in which images not required to be taken—the Act, s 24AF(2)**

- (1) Images are not required to be taken or given under the Act, section 24AF(1) in the following circumstances—
  - (a) if it is not safe to take the images,
  - (b) if it is not possible to take the images due to a fault with the camera used to take the images,
  - (c) if, at the time the images are to be taken, a person is in the vehicle involved in the offence.
- (2) Subclause (1)(b) and (c) do not apply if—
  - (a) the images are required to be taken in a prescribed parking zone referred to in clause 5G(1)(a), and
  - (b) the images are to be taken by a camera forming part of a remote parking enforcement system.