

**WRITTEN QUESTION TO THE MINISTER FOR  
TRANSPORT AND TECHNICAL SERVICES  
BY DEPUTY D.W. MEZBOURIAN OF ST. LAWRENCE**

**ANSWER TO BE TABLED ON TUESDAY 27th MARCH 2007**

**Question**

Would the Minister advise Members whether there is an appeals system in place for parking tickets issued by his Department and, if so, will he please describe the appeals process. Additionally, would the Minister advise whether, if a genuine mistake can be proven to have been made, the whole of the fine or only a partial amount can be waived and if so, who is responsible for making that decision?

Would the Minister provide details of the number of appeals which were made in 2006, 2005 and 2004 and also advise the number of successful applications in each year, identifying whether that was for a complete or partial waiver?

**Answer**

The appeals process for parking tickets issued within Transport and Technical services is as follows -

If a member of the public feels that they have a valid reason to appeal a parking ticket, they have 21 days from the date of issue of the Excess Charge Notice to supply the Parking Control Section within Transport and Technical Services with a letter of appeal and any relevant evidence to substantiate the appeal request.

The appeal is recorded and forwarded to the appeal administrator, a member of staff within the Parking Control Section, who considers the evidence provided by both the issuing officer and that provided by the person appealing. If the evidence is such that it confirms the issuing of the ticket was for a valid reason, then the appeal is declined. If there are extenuating circumstances, it may be that the Excess Charge is reduced. If the evidence confirms that the ticket was issued incorrectly, it will be cancelled.

If the member of public is not satisfied with this response, there is an opportunity to make a 2nd appeal which will be forwarded to the Manager of the Parking Control Section who independently reviews the appeal.

If the decision of this 2nd appeal is not accepted by the person appealing, the final option is to refer to the Court where the Magistrate can make an independent decision.

Regarding whether a genuine mistake can be proven, this will be considered in the extenuating circumstances and at any of the three stages of the appeals process, there is the opportunity to reduce or cancel the fine. Every single appeal will be reviewed independently on its own merits.

The number of appeals, cancellations and part payments for off street parking over the last three years is shown in the table below.

	<b>No. of Excess Charge Notices Issued</b>	<b>Appeals Received</b>	<b>Cancelled after Appeal</b>	<b>Part Paid after Appeal</b>
<b>2004</b>	<b>13,782</b>	<b>3,462</b>	<b>1,782</b>	<b>1,322</b>
<b>2005</b>	<b>11,375</b>	<b>2,488</b>	<b>1,475</b>	<b>742</b>

<b>2006</b>	<b>12,308</b>	<b>2,196</b>	<b>605</b>	<b>76</b>
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In general, the trend of fewer appeals being received and the higher number of appeals being upheld is due to improved quality of the supporting evidence, such as digital photographs, which are now taken with every ticket issued.