

Statutory declaration for vehicle offences

State Penalties Enforcement Act 1999

Offences involving vehicles

Council officers may serve an infringement notice for an offence involving a vehicle on the:

- › owner of the vehicle
- › person named in a known user declaration as the person who was in charge of the vehicle at the relevant time
- › person named in a sold vehicle declaration as the person to whom the vehicle had been sold or otherwise disposed of before the relevant time.

Liability for an infringement notice

When an infringement notice is served on the owner of a vehicle for an offence involving a vehicle, the owner is deemed to be the offender, even though the offence may have been committed by someone else.

However, the owner will not be taken to have committed the offence if, within 28 days from the date the notice was issued, the owner makes and gives Logan City Council a known user declaration, a sold vehicle declaration, an illegal user declaration or an unknown user declaration for the vehicle for the offence.

The declaration must be in the form of a statutory declaration and made by:

- › the owner, if the owner is an individual
- › an executive officer of the corporation or the responsible operator, if the owner is a corporation.

A declaration by an executive officer of a corporation must be under the common seal of the corporation.

What do I do?

If you have been issued with an infringement notice for an offence relating to a vehicle and you were not the driver or person in charge of the vehicle at the time, you may submit a statutory declaration to Council within 28 days from the date the notice was issued.

Statutory declaration

For a known user declaration, a sold vehicle declaration or an illegal user declaration, complete the statutory declaration template on the rear of this fact sheet and return it to Council within 28 days from the date the notice was issued.

You must provide the full name and correct address of the nominated person. Council will not accept a business name as a nominated person. The declaration must nominate an individual or a corporation.

Do not pay the infringement notice if you are intending on completing this document.

The declaration must be witnessed by a Justice of the Peace, Commissioner for Declarations, notary public, a lawyer or another person authorised to administer an oath under the provisions of the *Oaths Act 1867*.

Self-nomination

Logan City Council does not accept self-nomination declarations for vehicle related offences.

Submit your statutory declaration to:

✉ Logan City Council
PO Box 3226
Logan City DC QLD 4114

✉ council@logan.qld.gov.au

For more information

☎ 3412 3412

🖱 logan.qld.gov.au

✉ council@logan.qld.gov.au

Statutory declaration for vehicle offences

Oaths Act 1867

I, _____
Given name *Family name*

of _____
Number *Street* *Suburb* *Postcode*

do solemnly and sincerely declare that I was not the driver or person in charge of the vehicle at the time of the offence.

For Corporations – I am an executive officer and am authorised to make and sign statements on behalf of

_____ trading as _____
Full name of corporation that owned the vehicle *Trading name*

_____ and further, state the
Trading name

vehicle is owned by the corporation but was not being used for the corporation at the time of the offence.

This declaration relates to:

Infringement Notice _____ Vehicle registration _____

The person responsible at the time of the offence was:

_____ *Given name* *Family name (or Corporation name)*

of _____
Number *Street* *Suburb* *Postcode*

_____ *Date of birth (if known)*

_____ *Licence No. (if known)*

_____ *State of issue (if known)*

Please tick the following (if applicable) and supply full details

The vehicle was sold or otherwise disposed of by me on: _____
Date vehicle was disposed of

The vehicle was stolen or illegally used at the time of the offence and the matter was reported to:

_____ on _____ Qld Police Service crime number _____
Name of Police Station or Policelink *Date* *Number*

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

Signature of declarant

Taken and declared before me at _____

in the State of _____ on the _____ day of _____ 20____
State *Month* *Year*

Name and signature of authorised witness

Position and address of authorised witness



Important: This Statutory Declaration should be returned to Logan City Council, PO Box 3226, Logan City DC QLD, 4114, within 28 days from the date the infringement notice was issued.

