

NOTE: All writing in red is to be customised to suit your particular case.

Your Name
Your Address
Your Town
Date

Your Council City Council
Regulated Parking Section
PO Box XXXXX
Their Town

Re: Alleged Infringement Document Number XXXXXXX

The Correct Person,

This is a **NOTICE OF REQUEST FOR CLARIFICATION**, and is a **LAWFUL DOCUMENT**.

Please read it in its entirety and respond to each of the numbered questions below in 'substance', which means to respond to each numbered question individually and by fully and accurately addressing the questions herein.

You have apparently made allegations of criminal conduct against me. You have apparently made demands upon me. They are purported to be under Rule of Law.

I do not understand those apparent demands or the consequences of them, and therefore cannot yet lawfully fulfill those demands or answer those allegations. I seek clarification and discussion of your infringement document so that I may act according to the law and also maintain my legal rights.

I feel that accountability is impossible without honesty, knowledge and competence. Towards that end and for clarification of the issue, I must ask you a series of important questions. These questions are very simple and straightforward and I demand that you answer them fully, completely, honestly and immediately. I have numbered the questions for your easy reference and to aid in our communications.

I ask for some of the information regarding the Acts in relation to this quote from Quick & Garran;

"Not all enactments purporting to be laws made by the Parliament are binding, but all laws made under, in pursuance of, and within the authority conferred by the Australian Constitution, and only those, are binding on the courts, judges, and people. A law in excess of the authority conferred by the Australian Constitution is no law; it is wholly void and inoperative, it confers no rights, it imposes no duties, and it affords no protection."

Those who do not ask questions are assumed to understand everything already. I am asking these questions in order to have knowledge of the law and thus to keep it. I need this information for our matter in court and you are bound to give it when asked. You are to reply within 14 days of the date of this letter, as time is of the essence.

Note: I have previously sent you the Court Hearing Election notice for this notice on (enter date).

Please answer the following questions;

- 1) In Legal terms, what is this infringement document? Is it a notice, a bill, a registration, an offer, an order, an invitation, a bill of exchange, an offer of contract or some other thing?
- 2) Is the stated amount payable on the document a tax, a fine, a penalty or some other thing?
- 3) What entity exactly is prosecuting me at Court for the infringement notice? What is the precise name of the entity, what is their ABN and who is their Public Officer?
- 4) Will you be appointing anyone as your agent to assist you to deal with this matter, for example SPER or some other commercial agent?
- 5) Is this to be a criminal or civil case? And why?

- 6) Is there an injured party of substance that you can point out? Who is the injured party? Where is the injured party?
- 7) Can you as a corporation or any agent thereof make a claim as an injured party under common law?
- 8) Who is the person to whom I should address future correspondence on this matter?
- 9) What is the short title name of the Act you are alleging I violated?
- 10) Which section(s) or subsection(s) of that Act am I accused of violating?
- 11) In which parliament was the Act promulgated?
- 12) A Bill in Parliament must receive Royal Assent before it can become a Law of Parliament. On which date was the Act given Royal Assent?
- 13) On which date does the Act actually commence as a statute? Note, we need an actual date here, the answer cannot be some legal furphy such as "This Act commences on a date to be proclaimed" (in which case I am asking for the actual date of proclamation).
- 14) Are there any other Acts that I need to be aware of - that are pertinent to this matter, for example Local Government Act, Transport Operations Act and Regulations, Council Local Laws, Penalty Enforcement Act, etc - so that I may fully keep to the Law?
- 15) For each of the Acts listed in answer to Question 14, which section(s) or subsection(s) of that Act(s) are pertinent to this case?
- 16) For each of the Acts listed in answer to Question 14, in which parliament was each of the Acts promulgated?
- 17) For each of the Acts listed in answer to Question 14, on which date was each of those Acts given Royal Assent?
- 18) For each of the Acts listed in answer to Question 14, on what date did each of those Acts actually commence as a statute? Note, we need an actual date here, the answer cannot be some legal furphy such as "This Act commences on a date to be proclaimed" (in which case I am asking for the actual date of proclamation.)
- 19) What, for the purposes of your infringement document, is an authorised person? Who is this actual person? Under which Act and Section are they "Authorised"?
- 20) And what is the instrument of their "Authorisation"? Can you provide a copy of such instrument? If not why not? Who (which person) authorises and issues the instrument of authority?

Any claim made by you in answer to this 'Notice of Request For Clarification' must be made under full commercial liability and penalty of perjury. I caution you not to commit the crime of 'Fraud by Misrepresentation' in answering my questions.

Your answer must also be made in the form of a lawful, sworn affidavit so that it can be tendered on record in court. I realise that a Magistrates Court is not a court of record, but if we progress to a higher court on appeal, your answers will need to be tendered on record.

Failure to fulfil this 'Notice of Request For Clarification' to clarify and to do so completely, accurately and in good faith within fourteen (14) days from this date of the notice will be deemed by all parties to mean you and your principal, or other involved parties and agents shall immediately abandon all demands upon me and agree to be prohibited from taking any further action, by way of estoppel of any fine, lawsuit, court action, or other legal recourse which may occur as a result of this alleged infringement document.

Answers for this clarification must be sent via registered mail to me at the address listed on the 1st page. If council is unable to do so, then their proposed action cannot proceed.

I also enclose my "Schedule of Fees". I shall be asking for my costs for all my time spent dealing with this matter, based upon that schedule at the conclusion of the matter. My Schedule of Fees and List of Costs shall form the basis of my application before the court to recover my costs for my time and effort in this matter.

If you do not deal with this matter as specified, we will have tacit agreement with regard to the matters of estoppel and costs. If you deal with this matter as specified, we can proceed to court for determination. If the matter is dismissed by you by return post within 14 days I may consider waiving my right to recover costs.

You Remain,
My Servant

Your Signature

Your Name (typed)

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