

7 July 2014

Grace Haden

[fyi-request-1754-14fa4d2e@requests.fyi.org.nz](mailto:fyi-request-1754-14fa4d2e@requests.fyi.org.nz)

Dear Ms Haden

**RE: SET OFF ACT 1735 - CAS-326646-G8T8L0**

Thank you for your response to Auckland Transport dated 4 July 2014 regarding your previous request for official information.

You have again requested that Auckland Transport provides you with a legal basis that shows that cashing a cheque with conditions attached, does not bind the person cashing the cheque to those conditions.


Auckland Transport reiterates that:

- The cheque was cashed to pay the infringement fee for the infringement notice 3021572712.
- The Set Off Act 1735 applies to mutual debts and does not apply here.
- Auckland Transport may enforce infringement offences under the Land Transport Act 1998. The procedure for dealing with infringement offences is contained in section 21 of the Summary Proceedings Act 1957. The Act provides that Auckland Transport may enter into arrangements to allow the infringement fee to be paid in instalments (s. 21(3B) – (3D)). Auckland Transport has made arrangements through Baycorp.

Please note that the legislation does not allow Auckland Transport to accept infringement fees subject to conditions.

To date infringement notice 3020604777 remains unpaid.

Yours sincerely



Liz Hogan

**Manager Parking and Enforcement**