

NOTICE OF DISPUTE

Form 13.2

Province of New Brunswick

(Attach a copy of the violation ticket in dispute.)

Violation Ticket #:
Court location named on ticket:
Date ticket issued:
Issuing Agency:

Person named on the ticket

First Name:		Initial:	
Last Name:		Date of Birth:	
Mailing Address:	Municipality:	Province/State:	Postal/Zip Code:
Home Phone:	Work Phone:	Fax:	Email:

Please indicate

1. I am: the person named on the ticket.
 an authorized representative of the company named on the ticket.
 an authorized representative acting with specific instructions of the person named on the ticket.

Authorized Representative Information (complete only if you are not the person named on the ticket)

First Name and Initial:		Last Name:	
Mailing Address:	Municipality:	Province/State:	Postal/Zip Code:
Home Phone:	Work Phone:	Fax:	Email:

2. I am charged with the following offence: _____
At or near _____ N.B.
address
On or about _____ at _____
day/month/year HH:MM
In violation of _____

3. Select one of the following:

By filing this Notice of Dispute, I understand that I am pleading **not guilty** to the charge set out in the violation ticket numbered E: _____ or M: _____ and I am requesting to have a trial.

OR

By filing this Notice of Dispute, I am requesting a hearing so that I may **plead guilty** to the charge set out in the violation ticket numbered E: _____ or M: _____ and make submissions respecting the portion of the fixed penalty representing the surcharge payable under the *Victims Services Act*.

4. You have the right to have the proceedings conducted in the official language of your choice.

I am requesting to have the proceedings conducted in:

- English French

You also have the right to have a translation of the violation ticket by an Official Translator under the *Official Languages Act* of New Brunswick.

- Yes, I am requesting to have the violation ticket translated into: English French
 No, I do not require a translation of the violation ticket.

5. What is your preferred way of being notified of the time and place for your appearance in court (Court staff will send this information by only one method of notification):

- Mail Fax Email: _____

Send notice of trial or hearing, as the case may be, to:

- Person named on the violation ticket
 Authorized Representative

6. Please indicate the dates that you or your representative are unable to attend court and the reasons why you cannot attend on those dates:

IMPORTANT INFORMATION – PLEASE READ

- If you wish to dispute the charge or to make submissions respecting the portion of the fixed penalty representing the surcharge payable under the *Victims Services Act*, you must complete this Notice of Dispute and file it with the court. You may mail, email or fax your completed Notice of Dispute to the office of the court specified on your violation ticket, or you may file it in person at that office of the court.

ATTACH a copy of your violation ticket to this Notice of Dispute.

- **Disputing a charge** – If you are requesting a trial to dispute a charge, you will be deemed to have entered a not guilty plea on filing this Notice of Dispute.
- **Contesting a fixed penalty** – If you are requesting a submission hearing to make submissions respecting the portion of the fixed penalty representing the surcharge payable under the *Victims Services Act*, you will be asked to enter a plea at your hearing. After entering a guilty plea, you will then be expected to show the judge that you will suffer financial hardship if the full amount of the fixed penalty is imposed. If the judge agrees with you, the judge may reduce your penalty by an amount equal to 20%; this is the portion of the fixed penalty that represents the surcharge payable under the *Victims Services Act*.
- **Notice of Trial / Hearing** – Once your completed notice of dispute is received at the office of the court, a date and time will be scheduled for your trial or your submission hearing, as the case may be, and a notice will be sent to you and/or your authorized representative by your preferred method of notification indicated on this Notice of Dispute: mail, fax or email. If you do not receive notice of a court date or hearing date within 30 days of filing this Notice of Dispute, please contact the office of the court listed on your violation ticket.
- **Notice of Change of Address / Contact Information** – You **MUST** provide written notification of any change of address or contact information to the office of the court specified on your violation ticket.
- **Request for Disclosure** – You have the right to receive disclosure concerning the circumstances of your alleged offence. To request this disclosure, you must contact the Crown prosecutor office in your region.
- **Failure to Appear** – If you do not appear in court at the time and place fixed for your trial or hearing, as the case may be, the judge may convict you in your absence. In such a case, the fine becomes immediately due and you will receive a notice from the court of the conviction.

Please advise the court if, after filing this Notice of Dispute, you decide you want to pay the full amount of the fixed penalty and no longer want to proceed with a trial or submission hearing, as the case may be.