

David Berlusconi

From: digital@dpc.nsw.gov.au
Sent: Friday, 13 September 2019 8:39 AM
To: David Berlusconi
Subject: Obtaining a certificate from the commissioner of police



Thank you for contacting Minister Elliott via nsw.gov.au.

A copy of your message is below. If you attached files to your message, they have been forwarded to the Minister but are not included in this email.

Your comments will be addressed as soon as possible. Please read our [correspondence policy](#) for more information.

Any further correspondence should be submitted through [Minister Elliott's webform](#).

Title	Mr
First Name	David
Last Name	Berlusconi
Phone	04040226524
Email	dberlusconi@aag.com.au
Street Address	60 O'Riordan Street
Suburb	Alexandria
State	nsw
Postcode	2015
Subject	Obtaining a certificate from the commissioner of police
Type of Enquiry	comment
Message	<p>Hello, I have been trying for 2 months, to have a simple question answered pertaining to Uncollected Goods Acts 1995. Section 8(4) of the Act states I need to obtain a certificate from the Commissioner of Police indicating an item in question (i.e vehicle).</p>

However no-one seems to know how I can go about obtaining this certificate.

As per my attached email, I have spoken to an officer at Mascot police station, another at Alexandria police station , Service NSW, the Local

Court (twice), the Police Prosecutor's office, the Legal Help Centre and the Police Assistance Line. Top date, no one knows nor have they been able to provide any answer.

My only question is under s8(4) of the Act, it states I am required to attach to my local court application, a certificate from the Commissioner of Police stating the item (vehicle) is not stolen. Exactly how can I go about obtaining this ?

Constable Crotty replied to my attached email this morning and although she has been helpful and genuinely attempted to fix the issue, it does not answer my question. This scenario is a common occurrence in our business hence i need the question answered and do not want to be breach of the Act for getting this wrong. PLEASE HELP! by answering the question and not passing me back to another government department.

I would like a response

Yes

**I would like to receive
regular updates from the
NSW Government**

No

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David Berlusconi

From: Jordon Crotty <crot1jor@police.nsw.gov.au>
Sent: Friday, 13 September 2019 5:43 AM
To: David Berlusconi
Subject: Re: Obtaining a Certificate from Commissioner of Police [DLM=Sensitive]

Hi David,

Thank you for the email. I have managed to contact the owner of the vehicle Kirk AUSTIN his mobile number. He has informed me he will be contacting you as he did not know any repairs had been done on the vehicle and was still seeking parts to have the vehicle repaired.

I have provided him with all your information and advised him to contact you ASAP to sort out the situation.

Thank you.

Constable Jordon Crotty
South Sydney Police Station
1b Lawson Street Redfern
02 8303 5199/02 8303 5111

-----David Berlusconi <dberlusconi@aag.com.au> wrote: -----

To: "47045@police.nsw.gov.au" <47045@police.nsw.gov.au>
From: David Berlusconi <dberlusconi@aag.com.au>
Date: 11/09/2019 12:19PM
Subject: Obtaining a Certificate from Commissioner of Police

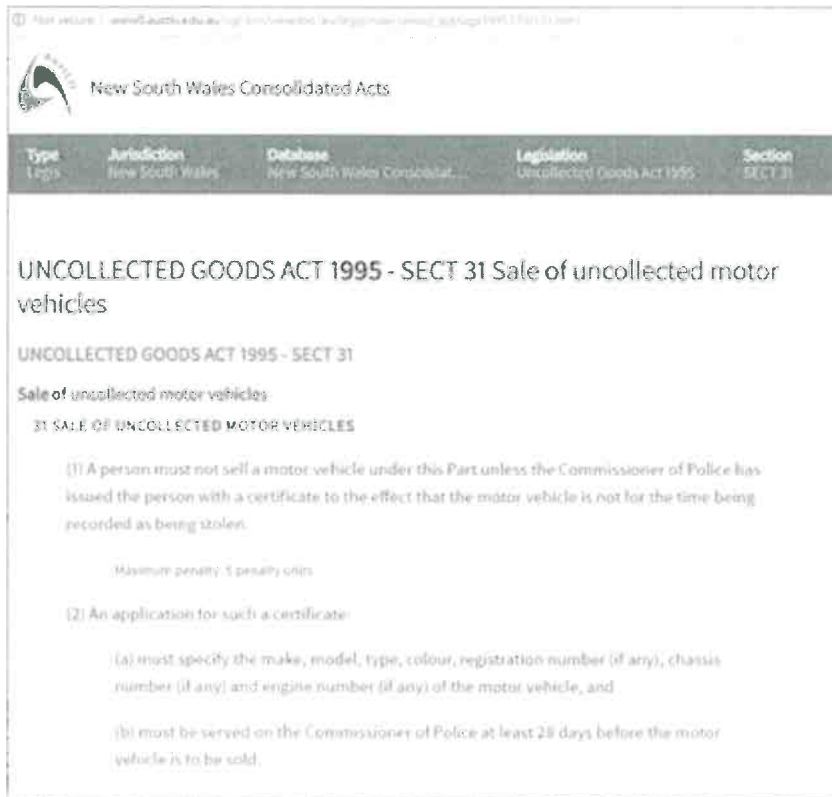
Hello Constable Crotty,

Thank you for your time on the phone this morning.

As discussed, our business City Ford Alexandria had a customer around 5-6 months ago who had repairs on his vehicle and never picked up his car for collection. We have tried at least 5 times to ring the customer to pay their bill and collect their vehicle however they are not returning our phone calls and we have not been able to make any contact with them.

Vehicle REGO is : BLL 84X

Keeping the vehicle on our preemies is costly and we are now utilising the Uncollected Goods Act 1995 (Act) to dispose of the vehicle and recover our money. In order to do this, a requirement under section 8 (4) of the Act is that our Local Court application be accompanied with a certificate from the *Commissioner of Police* stating the car is not stolen. Section 31 also talks about this.



About a month ago, I contacted Service NSW who referred me to Alexandria Police who said they would get back to me. I had no reply so I called Mascot Police who referred me to the Local Court. Upon speaking with them, I was given the number for the Police Prosecutor's office however the information still did not confirm the details required. This morning I called the Local Court again who transferred me to the Legal Assistance Centre. They then referred me to the Police Assistance Line indicating South Sydney Police would assist.

As per our discussion, I understand the Police Commissioner does not issue certificates of this type and if you could simply reply back, saying this is the case, as well as the fact the vehicle with the registration above is not stolen, I can use this email as confirmation to the courts that this is the case.

Once again, I thank you for your time today and appreciate your assistance.

Regards.

David Berlusconi

Human Resources Manager

Australian Automotive Group Pty Limited

60 O'Riordan Street, Alexandria

NSW, 2015, Australia

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David Berlusconi

From: David Berlusconi
Sent: Wednesday, 11 September 2019 12:19 PM
To: 47045@police.nsw.gov.au
Subject: Obtaining a Certificate from Commissioner of Police

Hello Constable Crotty,

Thank you for your time on the phone this morning.

As discussed, our business City Ford Alexandria had a customer around 5-6 months ago who had repairs on his vehicle and never picked up his car for collection. We have tried at least 5 times to ring the customer to pay their bill and collect their vehicle however they are not returning our phone calls and we have not been able to make any contact with them.

Vehicle REGO is : BLL 84X

Keeping the vehicle on our preemies is costly and we are now utilising the Uncollected Goods Act 1995 (Act) to dispose of the vehicle and recover our money. In order to do this, a requirement under [section 8 \(4\) of the Act](#) is that our Local Court application be accompanied with a certificate from the *Commissioner of Police* stating the car is not stolen. Section 31 also talks about this.

The screenshot shows the New South Wales Consolidated Acts website. The header includes the NSW Government logo and the text 'New South Wales Consolidated Acts'. Below the header is a navigation bar with tabs for 'Type: Laws', 'Jurisdiction: New South Wales', 'Database: New South Wales Consolidated...', 'Legislation: Uncollected Goods Act 1995', and 'Section: SECT 31'. The main content area is titled 'UNCOLLECTED GOODS ACT 1995 - SECT 31 Sale of uncollected motor vehicles'. It includes the text 'UNCOLLECTED GOODS ACT 1995 - SECT 31' and 'Sale of uncollected motor vehicles'. The section is titled '31 SALE OF UNCOLLECTED MOTOR VEHICLES'. It contains two paragraphs: (1) A person must not sell a motor vehicle under this Part unless the Commissioner of Police has issued the person with a certificate to the effect that the motor vehicle is not for the time being recorded as being stolen. Maximum penalty 5 penalty units. (2) An application for such a certificate: (a) must specify the make, model, type, colour, registration number (if any), chassis number (if any) and engine number (if any) of the motor vehicle, and (b) must be served on the Commissioner of Police at least 28 days before the motor vehicle is to be sold.

About a month ago, I contacted Service NSW who referred me to Alexandria Police who said they would get back to me. I had no reply so I called Mascot Police who referred me to the Local Court. Upon speaking with them, I was given the number for the Police Prosecutor's office however the information still did not confirm the details required. This morning I called the Local Court again who transferred me to the Legal Assistance Centre. They then referred me to the Police Assistance Line indicating South Sydney Police would assist.

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Once again, I thank you for your time today and appreciate your assistance.

Regards.

David Berlusconi
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