

Sample application to remove driver licence disqualification

This is a sample. It is important to complete this form with your own details and based on your own circumstances. If you need more help get legal advice.

Application to remove driver licence disqualification

Road Transport Act 2013, section 221C

Applicant Details

Name: **Hayley Jarrod**

Residential address: **46 Callum Avenue Tamworth NSW 2340**

Postal address (if different from above):

Date of birth: **25 May 1984**

NSW Driver Licence number or RMS Customer Number: **L11223344**

Legal representative's name:

Legal representative's firm:

Legal representative's address:

Order/s sought

That my driver licence disqualification is removed.

Reasons in support of application

- ✓ I have not been convicted of any driving offence during the relevant offence-free period.
- ✓ I have not been convicted on an offence that would make me ineligible to apply.
- ✓ I am eligible to apply as I have not committed a driving offence during the offence free period before making this application.
- ✓ I am eligible to apply as I have not committed an offence that would cause me to be ineligible to apply.
- ✓ A Local Court has not refused an application for removal of my driver licence disqualification within the last 12 months.

I request that the Court take the following information into account:

There are special circumstances that the court should take into account. My mother suffered a stroke in February 2013 and needs to attend doctor's appointments on a weekly basis. She is unable to drive and my father works full-time and cannot drive her during the week.

Particulars of any pending proceedings against the applicant for an alleged driving offence: **N/A**

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I have attached an up-to-date statement of driving record and cover letter issued by Roads and Maritime Services.

I acknowledge that in the event this application is successful I must obtain a new licence from the Authority before driving and that the issue of a new licence is subject to the settlement of any outstanding debt with Revenue NSW.

Applicant Signature: *H. Jarrod*

Date: **30 October 2017**

SAMPLE

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FOR OFFICE USE:

OPTION 1: Approval to issue Process

I have considered this application taking into account the provisions of Section 47 of the *Local Court Act 2007* and Rule 8.4 of the *Local Court Rules 2009*. I have not identified any issues that would preclude me from signing this application. I have signed this application and notice of listing may be issued.

.....

Registrar (signed)

Application filed at: Date:

Matter to be listed Local Court at (Place of Listing) on (Date of Listing)

OPTION 2: Refusal to Issue Process

I have considered this application taking into account the provisions of Section 47 of the *Local Court Act 2007* and Rule 8.4 of the *Local Court Rules 2009*. I have identified the following issues that preclude me from signing this application:

- Grounds not disclosed [s47(2)(a) *Local Court Act 2007*] – reasons not required.
- Notice on wrong form [s47(2)(b) *Local Court Act 2007*] – reasons not required.
- In my opinion the following grounds for refusal exist [s47(2)(c) *Local Court Act 2007* and Rule 8.4 *Local Court Rules 2009*]:
 - The proceedings have no reasonable prospect of success. [reasons are required and are set out below:]

Reasons for refusal pursuant to s47(2)(c) and Rule 8.4:

- Applicant committed/convicted of offence of _____ on _____ within relevant offence free period (S221B *Road Transport Act 2013*)
- Applicant committed/convicted of offence of _____ on _____ Deemed Never eligible to apply (s221D *Road Transport Act 2013*)
- Applicant has made previous application within past 12 months.
- Other: