

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
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<p>Hearing Date and Time:</p> <p>Hearing Location:</p>
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ORIGINATING APPLICATION - LICENCE DISQUALIFICATION OR SUSPENSION (LIFT OR REDUCE)

Road Traffic Act 1961 s 45E OR 47IAB

MAGISTRATES / YOUTH circle one COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION
CASE NO:

..... Full name
Applicant

COMMISSIONER OF POLICE
Respondent

Applicant	Full Name		
Name of law firm/solicitor If any	Law Firm	Responsible Solicitor	
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type (eg. home; work; mobile) - Number		Another number (optional)

Form 1Qh

Only complete if applicable otherwise mark as N/A

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Name of law firm/solicitor If any	Law Firm	Responsible Solicitor	
Address for service	Street Address (including unit or level number and name of property if required)		
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	Country		
	Email address		
Phone Details	Type (eg. home; work; mobile) - Number		Another number (optional)

Respondent	Commissioner of Police		
	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type (eg. Home; work; mobile) – Number		Another number (optional)

Application Details

Mark appropriate sections below with an 'x'

Matter type:

This Application is to lift / reduce the immediate disqualification / suspension of the Applicant's licence under the Notice identified below.

This Application is made under section 45E / 47IAB of the Road Traffic Act 1961.

[YOUTH] In the case of a youth, this application is made under section 28(2) of the Young Offenders Act 1993.

The Applicant seeks the following orders:

Orders sought in addition to, or in place of, the orders made in separate numbered paragraphs

- 1. The Applicant is not disqualified / Applicant's driver's licence is not suspended , as there is a reasonable prospect that the Applicant would be acquitted of the offence.
- 2. The disqualification / suspension be reduced, as the offence is a first offence and was trifling.
- 3. The disqualification / suspension be reduced, as there is a reasonable prospect that the Applicant would be acquitted of a Category 3 offence, but may be guilty of a Category 2 offence.
- 4. The Applicant is not disqualified / Applicant's driver's licence is not suspended , as the Applicant has not been charged with any offence to which s 45D applies and the prosecution authorities have had a reasonable time in the circumstances to make a determination as to the laying of charges.
- 5.other

This Application is made on the grounds:

grounds in separately numbered paragraphs

- 1. The blood test taken ontime on the day ofdate with the result ofpercentage
- 2. The opinion of Doctor full name on the day of date
- 3. The Applicant has not received an Information charging them with any offence which relates to the Notice of Disqualification / Suspension
- 4. The Applicant has not received a notice from the Registrar of Motor Vehicles containing particulars of licence disqualification/suspension.
- 5.other

If applicable

The Application is urgent because

grounds in separately numbered paragraphs where more than one

- 1.

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Particulars of Notice of Disqualification / Suspension

Date of Notice
date
Date of the commencement of the Notice
date
Disqualification Notice number
number
Brief number
number

The Applicant has / has not Circle one also received a Notice from the Registrar of Motor Vehicles containing particulars of the licence disqualification / suspension Circle one

if applicable
Hearing

The Applicant requests that the Hearing be by written submissions only, because reasons in separate numbered paragraphs

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To the Other Parties: WARNING

This Application will be considered at the hearing at the date and time set out at the top of this document. If you wish to oppose the Application or make submissions about it:

- you must attend the hearing; and
- if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you must file and serve on all parties an Affidavit within 14 days after service of the Application.

If you do not do so, the Court may proceed in your absence and orders may be made **finally determining** this proceeding without further warning.

For instructions on how to obtain access to the file, visit <https://courtsa.courts.sa.gov.au/?g=node/482>.

To the Applicant: WARNING

If you drive whilst being [disqualified/suspended] you may be [imprisoned/detained] pursuant to section 91(5) of the *Motor Vehicles Act 1959*.

Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.

Accompanying Documents

Mark appropriate sections below with an 'x'

Accompanying this Application is a:

- [] Multilingual Notice mandatory
- [] Supporting Affidavit mandatory
- [] Copy of the original Decision that is the subject of this Review mandatory unless already exhibited to Affidavit
- [] Copy of Notice pursuant to section 471IAA of the *Road Traffic Act 1961* mandatory
- [] Copy of blood test results mandatory if blood test selected above
- [] Opinion of doctor mandatory if opinion of doctor selected above
- [] If other additional document(s) please list below:

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