

<p><b>To be inserted by Court</b></p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p><b>Hearing Date and Time:</b></p> <p><b>Hearing Location:</b></p>

## APPEAL AGAINST ADMINISTRATIVE DECISION

MAGISTRATES COURT OF SOUTH AUSTRALIA  
CIVIL JURISDICTION

Please specify the Full Name including capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable) for each party. Each party should include a party number if more than one party of the same type.

Applicant

**Registrar of Motor Vehicles**  
Interested Party

Applicant	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))		
Name of law firm / solicitor If any	Law Firm	Solicitor	
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 - Number		

Interested Party – Decision Maker	Registrar of Motor Vehicles		
	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))		
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 - Number
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**Appeal Details**

Mark appropriate sections below with an 'x'

The Applicant appeals to the Court against the action identified below disqualifying the Applicant from holding or obtaining a

- ] probationary  
 ] provisional

licence under section 81B of the Motor Vehicles Act 1959.

**Administrative action subject of appeal**

Applicant's licence number: [*licence number*]

Tribunal/agency/decision maker being reviewed: Registrar of Motor Vehicles.

Orders challenged: whole.

**Eligibility to appeal**

Is, or was, the Applicant entitled to elect to enter into a Safer Driver Agreement in lieu of suffering the disqualification?

- ] yes  ] no

Has the Applicant been disqualified from holding or obtaining a permit or licence within the last 5 years?

- ] yes  ] no.

Has an appeal by the Applicant against a disqualification of licence under section 81B of the Motor Vehicles Act 1959 been allowed within the last 5 years?

- ] yes  ] no

**Grounds of appeal**

Describe why the disqualification would result in severe and unusual hardship to you or your dependant(s):

1.

**Orders sought**

1. Removal of the disqualification.

**To the Applicant: WARNING**

This Appeal will be considered at the hearing at the date and time set out at the top of this document.

**You must attend the hearing.** If you do not attend the hearing, your Appeal may be dismissed. Any remaining period of licence cancellation and disqualification will operate from the time of the dismissal.

**You must be prepared to give evidence** as to the forms of transport available if you are disqualified and why this transport does not meet your needs or the needs of a dependant.

The penalty for driving while disqualified is imprisonment for up to 6 months for a first offence or up to 2 years for a second offence.

**To the Registrar of Motor Vehicles: WARNING**

This Appeal 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 Appeal or make submissions about it:

- you **must** attend the hearing and
- you **must file and serve on all parties a Response within 14 days after service** of the Application 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** or provide other evidence as to previous offences relating to the applicant's use of the vehicle **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 file a response to an application and how to obtain access to the file, visit <https://courtsa.courts.sa.gov.au/?g=node/482>.

**Service**

The Registrar will serve a copy of this application on the Registrar of Motor Vehicles and the Applicant is not required to do so.

**Accompanying Documents**

Mark appropriate sections below with an 'x'

Accompanying this Application is a:

- [    ] copy of the cancellation/disqualification notice (mandatory unless exhibited to affidavit)
- [    ] If other additional document(s) please list them below: