



# LOST YOUR LICENCE? GET HELP TO GET IT BACK

When you lose your licence, everything is much harder. But you can turn things around. Legal Aid WA may be able to help you get it back.

## I lost my licence. What should I do?

### Don't drive!

The most important thing is don't drive until you have a licence back. That is going to be hard, but if you drive and get caught, you will lose your licence for longer and it will be harder to get it back. You could even go to jail.

### Sort out your fines

Pay your fines or put them on a time-to-pay arrangement as soon as possible. If you are having trouble paying your fines, you should ask for help from the Fines Enforcement Registry. You may be able to do unpaid work, or participate in a treatment program or educational course under a Work and Development Permit, to reduce or clear your fines. Legal Aid WA can help you apply for a Permit.

If you don't do anything, you may get a fines suspension on your licence as well and it may take longer to get it back.

## I really need to drive. What can I do?

### Talk to a lawyer

If you have been given a fines suspension and you live in a remote area or you need to drive for work, medical reasons or to meet family responsibilities, talk to a lawyer. You may be able to apply to cancel the fines suspension.

If you have lost your licence for another reason and you need to drive for work or medical reasons, talk to a lawyer. You might be able to ask the court for an Extraordinary Licence.

### What is an Extraordinary Licence?

An Extraordinary Licence is a special licence that lets you drive while under disqualification, with strict rules about where and when you can drive.

It might let you:

- drive to get to work,
- drive while you are at work so that you can do your job, or
- drive to a clinic, hospital or medical appointment if you or a member of your family needs treatment.

You might even be able to get an Extraordinary Licence if you are applying for a job that needs a licence.

## Who can apply for an Extraordinary Licence?

You can apply for an Extraordinary Licence if you are currently disqualified from holding or obtaining a licence and you are NOT under:

- a demerit point suspension,
- a fine suspension for unpaid fines or infringements,
- an Immediate Disqualification Notice issued by the police for an alcohol-related offence, or
- disqualification in another state or territory.

If you have unpaid fines, make sure you pay them or sort out another arrangement with the Fines Enforcement Registry before you apply for an Extraordinary Licence.

## When can I apply for an Extraordinary Licence?

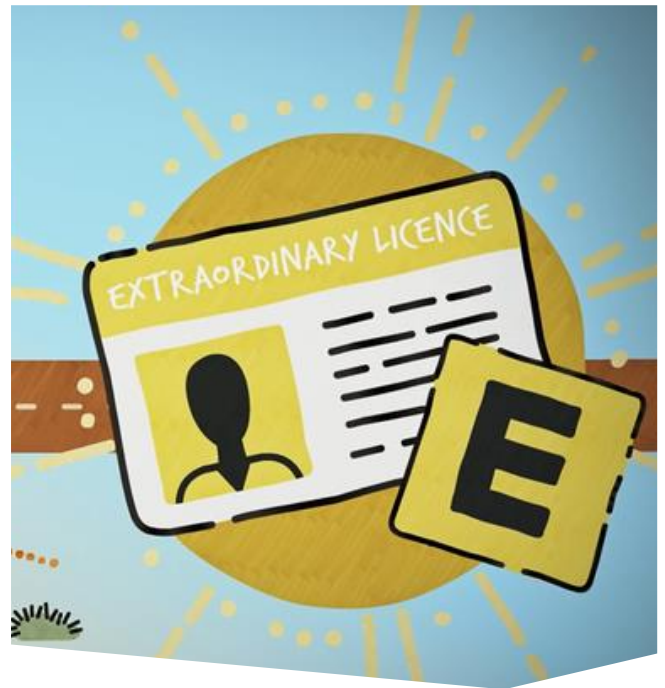
After you are disqualified for an offence, there is a waiting period that you must comply with before you can apply for an Extraordinary Licence.

The waiting period depends on the offence and whether you have committed similar offences before. You should talk to a lawyer or the court to find out when you can apply.

## You will have to prepare legal papers and pay an application fee to the court.

## How do I apply for an Extraordinary Licence?

After your waiting period has finished, you can apply for an Extraordinary Licence at the court that dealt with the offence that resulted in your disqualification. You must apply online using the Courts Electronic Case Management System (ECMS) eCourts Portal. You will need an eCourts Portal username and password. When you are completing your application, you will need to upload an affidavit explaining why you need to drive. Talk to a lawyer for help with preparing your application.



## How does the court decide whether to grant an Extraordinary Licence?

The court can only give you an extraordinary licence if you prove that you need to drive for one of the following reasons:

- to get urgent medical treatment (for you or for a family member),
- to do your job and earn money for your family, or
- to get to and from your job, where there is no other transport available.

When deciding whether to give you an Extraordinary Licence, the court must also think about:

- why you lost your licence,
- the safety of the public,
- your character,
- whether you have been in trouble since you were disqualified,
- what hardship will be caused to you or your family member if you cannot drive, and
- why you need to drive and your personal circumstances - for example where you live, your family responsibilities or your health.

## Can I get an Extraordinary Licence if I have never had a licence?

Yes, you might still be able to get an Extraordinary Licence for work or medical reasons, but you would need to pass a driving test and follow some other rules before being allowed to drive.

## I've lost my licence for life. Will I ever get it back?

### A life disqualification doesn't have to be for life.

After ten years, you can ask the court to remove your disqualification. Talk to your lawyer about this.

When deciding whether to remove your life disqualification, the court must think about:

- why you lost your licence,
- the safety of the public,
- your character,
- whether you have been in trouble recently, and
- why you need to drive and your personal circumstances

### What will I need to show the court?

You will need to show the court that you have changed your lifestyle and are not breaking the law anymore.

If the reason you lost your licence was drink driving, you will also need to show you are not drinking a lot of alcohol anymore and get a liver function test done to prove this.

### What if I need to drive while I'm waiting to get my life disqualification removed?

You can still ask the court for an Extraordinary Licence if you need to drive for work or medical reasons.

### If the court gives me an Extraordinary Licence or removes my life disqualification, does that mean I can drive?

There might still be things you need to do before you can drive again, like passing a driving test or putting an alcohol interlock device in your car.

If you were under life disqualification and you kept driving, you might have other disqualifications and you will have to wait for them to finish. Talk to a lawyer for advice about this.

### I think my licence disqualification has finished now. Is it okay to drive again?

If your licence was cancelled or you have never held a licence, you will need to pass a driving test first. If you lost your licence for an alcohol-related offence, you might have to install an alcohol interlock device in your car.

Always check with the Department of Transport before you get back behind the wheel.



## Where can I get help?

### Legal Aid WA

Legal Aid WA can help you get your licence back. We have offices across Western Australia.

Visit your local office, call us or chat to us online at [www.legalaid.wa.gov.au](http://www.legalaid.wa.gov.au) to find out how we can help.

<b>Kununurra</b>	1800 991 347
<b>Broome</b>	1800 813 796
<b>South Hedland</b>	1800 813 796
<b>Carnarvon</b>	1800 813 492
<b>Geraldton</b>	1800 813 492
<b>Bunbury</b>	1800 813 732
<b>Albany</b>	1800 813 847
<b>Kalgoorlie</b>	9025 1300
<b>Perth</b>	1300 650 579

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