



Queensland

Peace and Good Behaviour Act 1982

Peace and Good Behaviour Regulation 1999

Reprinted as in force on 3 September 1999

Reprint No. 1 *

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the Office of the Queensland Parliamentary Counsel
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* Minor differences in style between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This regulation is reprinted as at 3 September 1999.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.



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Peace and Good Behaviour Regulation 1999

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Peace and Good Behaviour Regulation 1999

[reprinted as in force on 3 September 1999]

1 Short title

This regulation may be cited as the *Peace and Good Behaviour Regulation 1999*.

2 Commencement

This regulation commenced on 1 September 1999.

3 Definition

In this regulation—

approved form means a form approved under section 13.

complainant means a person making a complaint under section 4 of the Act.

defendant means a person complained against under section 4 of the Act.

4 Filing requirements if summons or warrant issued

- (1) This section applies if a justice,¹ after considering a complaint sworn before the justice, issues a summons or a warrant under section 4(1) of the Act.
- (2) The complainant must as soon as practicable, file the following documents with the nearest clerk of the court in the Magistrates Court for the district in which the complaint is made—
 - (a) the complaint;

¹ *Acts Interpretation Act 1954*, section 36 provides—
justice means a justice of the peace.

- (b) if the justice issues a summons—3 copies of the summons;
- (c) if the justice issues a warrant—a copy of the warrant.

5 Requirements if summons or warrant not issued

- (1) This section applies if a justice, after considering a complaint sworn before the justice, decides not to issue a summons or a warrant under section 4(1) of the Act.
- (2) The justice must as soon as practicable—
 - (a) make a note on the complaint that—
 - (i) the justice is not satisfied the matter of the complaint is substantiated; or
 - (ii) the justice is not satisfied it is reasonable in the circumstances for the complainant to be in fear of the defendant; or
 - (iii) the justice is not satisfied of either matter in subparagraph (i) or (ii); and
 - (b) send the complaint to the nearest clerk of the court in the Magistrates Court for the district in which the complaint is made.

6 Filing requirements if mediation ordered

- (1) This section applies if a justice orders the complainant to submit the matter to mediation under section 4(3) of the Act.
- (2) The complainant must as soon as practicable, file with the nearest dispute resolution centre—
 - (a) the complaint; and
 - (b) an application for mediation in the approved form.

7 Service of complaint and summons

When a defendant is served with a summons issued under section 4(1) of the Act, the defendant must also be served with a copy of the relevant complaint.

8 Period of warrant

A warrant issued under section 4(1) of the Act ends 1 year after it issues unless the warrant states that it ends at an earlier time.

9 Approved form for complaint

An approved form for a complaint made under section 4 of the Act must include provision for the following—

- (a) the name and address of the complainant;
- (b) the name and address of the defendant;
- (c) the grounds relied on to make the complaint;
- (d) the facts on which the complaint is based;
- (e) the date the complaint is sworn;
- (f) the name, location and signature of the justice before whom the complaint is sworn.

10 Approved form for summons

An approved form for a summons under section 4(1) of the Act must include provision for the following—

- (a) the name and address of the defendant;
- (b) the ground relied on to issue the summons;
- (c) the location of the Magistrates Court where the complaint is to be answered;
- (d) the time and date the complaint is to be answered;
- (e) the name, location and signature of the justice;
- (f) the date the summons issues.

11 Approved form for warrant

An approved form for a warrant under section 4(1) of the Act must include provision for the following—

- (a) the name and address of the complainant;
- (b) the name and address of the defendant;

- (c) the ground relied on to issue the warrant;
- (d) the police officers authorised under the warrant (whether or not named);
- (e) that the warrant authorises the police officers to apprehend the defendant and to cause the defendant to be brought before a Magistrates Court to answer the complaint;
- (f) the date, within the period of 1 year, the warrant ends;
- (g) the name, location and signature of the justice;
- (h) the date the warrant issues.

12 Approved form for mediation

An approved form for an application for mediation of a matter under section 4(3) of the Act must include provision for the following—

- (a) the location of the dispute resolution centre where the matter will be mediated;
- (b) the name, address and telephone number of the complainant;
- (c) the name and address of the defendant;
- (d) the name of the justice ordering the matter be submitted to mediation;
- (e) the date the justice orders the matter to be submitted to mediation.

13 Approval of forms

The chief executive may approve forms for use under this regulation.

14 Transitional provision—Peace and Good Behaviour Regulation 1989

- (1) The *Peace and Good Behaviour Regulation 1989*, as in force immediately before its expiry, continues to apply to a

summons or warrant issued before the commencement of this section.

- (2) This section expires on 1 September 2000.

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before 3 September 1999. Future amendments of the Peace and Good Behaviour Regulation 1999 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	1 September 1999	3 September 1999

5 List of legislation

Peace and Good Behaviour Regulation 1999 SL No. 199

made by the Governor in Council on 26 August 1999

notfd gaz 27 August 1999 pp 2224–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 1999 (see s 2)

exp 1 September 2009 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

6 List of annotations

Transitional provision—Peace and Good Behaviour Regulation 1989

s 14 exp 1 September 2000 (see s 14(2))