



Queensland

Domestic and Family Violence Protection Amendment Rule 2026

Subordinate Legislation 2026 No. 45

made under the
Magistrates Courts Act 1921

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[s 1]

1 Short title

This rule may be cited as the *Domestic and Family Violence Protection Amendment Rule 2026*.

2 Commencement

This rule commences on 29 May 2026.

3 Rule amended

This rule amends the *Domestic and Family Violence Protection Rules 2014*.

4 Insertion of new pt 3, div 4A

Part 3—

insert—

Division 4A Court to give notice of particular applications for leave

19AA Giving notice of application for leave to make subsequent application for review

- (1) This rule applies if a person applies for leave of the court to make an application for review of a police protection direction because the DFVP Act, s 100ZD(4)(b) applies to the application.
- (2) As soon as reasonably practicable after the application for leave is filed, the clerk of the DFVP court must give a copy of the application for leave to—
 - (a) the police commissioner; and
 - (b) each person entitled to make the application for review under the DFVP Act, section 100Z(1), other than the applicant; and

- (c) each named person in the police protection direction who is not a child.
- (3) If a named person in the police protection direction is a child, the DFVP court may order that a copy of the application for leave be given to the child if it considers that it is necessary and appropriate.
- (4) In making an order under subrule (3), the DFVP court must have regard to the following matters—
 - (a) the age of the child;
 - (b) the ability of the child to understand the application for leave;
 - (c) whether the court has dispensed with the requirement to give a copy of the application for leave to a parent of the child under the DFVP Act, section 188(3);
 - (d) whether giving a copy of the application for leave to the child is in the best interests of the child;
 - (e) whether the child is already aware of the application for leave or the circumstances giving rise to the application for leave.
- (5) In complying with an order made under subrule (3), the clerk of the DFVP court must give a copy of the application for leave to the child in accordance with the DFVP Act, section 188.
- (6) In this rule—

application for review means an application made under the DFVP Act, section 100Z.

19AB Giving notice of application to reopen proceedings

- (1) This rule applies if—
 - (a) a person makes an application to reopen a proceeding; or

- (b) a person applies for leave of the court to make an application to reopen a proceeding because the DFVP Act, s 157A(4) applies to the person for that application.
- (2) As soon as reasonably practicable after the application to reopen a proceeding or for leave is filed, the clerk of the DFVP court must give a copy of the application to—
 - (a) the police commissioner; and
 - (b) each person who was a party to the proceeding the subject of the application, other than the applicant; and
 - (c) each named person in the protection order the subject of the proceeding who is not a child.
- (3) If a named person in the protection order the subject of the proceeding is a child, the DFVP court may order that a copy of the application be given to the child if it considers that it is necessary and appropriate.
- (4) In making an order under subrule (3), the DFVP court must have regard to the following matters—
 - (a) the age of the child;
 - (b) the ability of the child to understand the application;
 - (c) whether the court has dispensed with the requirement to give a copy of the application to a parent of the child under the DFVP Act, section 188(3);
 - (d) whether giving a copy of the application to the child is in the best interests of the child;
 - (e) whether the child is already aware of the application or the circumstances giving rise to the application.
- (5) In complying with an order made under subrule

(3), the clerk of the DFVP court must give a copy of the application to the child in accordance with the DFVP Act, section 188.

(6) In this rule—

application to reopen a proceeding means an application made under the DFVP Act, section 157A.

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 21 May 2026.
- 2 Notified on the Queensland legislation website on 22 May 2026.
- 3 The administering agency is the Department of Justice.

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