



Queensland

*Domestic and Family Violence Protection Act 2012*

# **Domestic and Family Violence Protection Regulation 2023**

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Queensland

# Domestic and Family Violence Protection Regulation 2023

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# Domestic and Family Violence Protection Regulation 2023

## 1 Short title

This regulation may be cited as the *Domestic and Family Violence Protection Regulation 2023*.

## 2 Publication of certain information—Act, s 159

- (1) This section provides for the publication of information mentioned in section 159(1) of the Act for section 159(2)(h) of the Act.
- (2) The publication of the information is permitted if the information relates to—
  - (a) a proceeding that relates to a matter in the public domain; or
  - (b) a proceeding in which the community has a legitimate interest.
- (3) For subsection (2)(a), a proceeding relates to a matter in the public domain if—
  - (a) a domestic violence order was made in the proceeding—
    - (i) against a person as a respondent; or
    - (ii) for the benefit of a person as the aggrieved, or a relative or associate of the aggrieved; and
  - (b) the person has later been convicted of an offence under the Act or another Act that was factually related to the domestic violence order.
- (4) For subsection (2)(b), the community has a legitimate interest in a proceeding if an incident happens in which—
  - (a) a respondent in the proceeding causes the death of, or injury to, the aggrieved or a named person in the proceeding and the incident results in the death of the respondent; or

- (b) the aggrieved or a named person in the proceeding causes the death of, or injury to, a respondent in the proceeding and the incident results in the death of the aggrieved or the named person.
- (5) However, the publication is not permitted if the publication is of information that identifies, or is likely to lead to the identification of, a child.

### **3 Declared interstate orders—Act, s 173**

For section 173 of the Act, each of the following orders is declared to be an interstate order—

- (a) an apprehended domestic violence order or interim apprehended domestic violence order under the *Crimes (Domestic and Personal Violence) Act 2007* (NSW);
- (b) a domestic violence order within the meaning of the *Domestic and Family Violence Act 2007* (NT), section 4, definition *domestic violence order*, paragraph (a);
- (c) an FVO, interim FVO or PFVO under the *Family Violence Act 2004* (Tas);
- (d) a protection order or after-hours order under the *Family Violence Act 2016* (ACT);
- (e) a family violence intervention order or family violence safety notice under the *Family Violence Protection Act 2008* (Vic);
- (f) an intervention order under the *Intervention Orders (Prevention of Abuse) Act 2009* (SA) that includes a declaration under section 15A of that Act that the order addresses a domestic violence concern;
- (g) a family violence restraining order or police order under the *Restraining Orders Act 1997* (WA);
- (h) a violence restraining order under the *Restraining Orders Act 1997* (WA) made before 1 July 2017 that addresses a domestic violence concern within the meaning of the *Domestic Violence Orders (National Recognition) Act 2017* (WA), section 9(1).

#### 4 Declared registered foreign orders—Act, s 174

For section 174(b) of the Act, a New Zealand order that is also 1 of the following is declared to be a registered foreign order—

- (a) an external protection order—
  - (i) within the meaning of the *Crimes (Domestic and Personal Violence) Act 2007* (NSW), section 94, definition *external protection order*, paragraph (a); and
  - (ii) that is registered under that Act;
- (b) an external order—
  - (i) within the meaning of the *Domestic and Family Violence Act 2007* (NT), section 4, definition *external order*, paragraph (a); and
  - (ii) that is registered under that Act;
- (c) an external family violence order under the *Family Violence Act 2004* (Tas) that is registered under that Act;
- (d) a New Zealand FVO under the *Family Violence Act 2016* (ACT) that is registered under that Act;
- (e) a corresponding New Zealand order under the *Family Violence Protection Act 2008* (Vic) that is registered under that Act;
- (f) a foreign intervention order under the *Intervention Orders (Prevention of Abuse) Act 2009* (SA) that is registered under that Act;
- (g) a foreign restraining order under the *Restraining Orders Act 1997* (WA) that corresponds with an order under part 1B of that Act and is registered under that Act.

#### 5 Registration of New Zealand order—Act, s 176N

For section 176N(6) of the Act, the clerk of the court must register a New Zealand order by entering details of the order in a register kept by the clerk for registering New Zealand orders.

## **6 Repeal**

The Domestic and Family Violence Protection Regulation 2012, SL No. 158 is repealed.

## **7 Transitional provision for Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024**

The reference in section 2(3)(b) to a conviction of an offence under the Act, is a reference to a conviction of an offence under the Act if the charge for the offence was laid after the commencement.