

Queensland



Domestic and Family Violence Protection Act 1989

**DOMESTIC VIOLENCE
(FAMILY PROTECTION)
REGULATION 1993**

**Reprinted as in force at repeal (10 March 2003)
(includes amendments up to SL No. 86 of 2000)**

Reprint No. 1C

This reprint is prepared by
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Information about this reprint

This regulation is reprinted as at 10 March 2003. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

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DOMESTIC VIOLENCE (FAMILY PROTECTION) REGULATION 1993

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*Domestic Violence (Family Protection)
Regulation 1993*

DOMESTIC VIOLENCE (FAMILY PROTECTION) REGULATION 1993

[as amended by all amendments that commenced on or before 10 March 2003]

1 Short title

This regulation may be cited as the *Domestic Violence (Family Protection) Regulation 1993*.

2 Commencement

This regulation commences on 28 May 1993.

3 Prescribed laws (definition “interstate order”, s.3 of the Act)

The following provisions are prescribed laws—

- (a) section 562B of the Crimes Act 1900 of New South Wales;
- (b) section 4 of the *Crimes (Family Violence) Act 1987* of Victoria;
- (c) section 4 of the *Restraining Orders Act 1997* of Western Australia;
- (d) section 99 of the *Summary Procedure Act 1921*, and section 4 of the *Domestic Violence Act 1994*, of South Australia;
- (e) section 106B of the *Justices Act 1959* of Tasmania;
- (f) section 4 of the *Domestic Violence Act 1986*, and section 197 of the *Magistrates Courts Act 1930*, of the Australian Capital Territory;
- (g) section 4 of the *Domestic Violence Act 1992* of the Northern Territory;
- (h) section 14 of the *Domestic Violence Act 1995* of New Zealand.

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4 Registration of interstate order (s.42(7) of the Act)

The clerk of a Magistrates Court registers an interstate order by entering the particulars of the order in a document kept for the purpose, whether in a physical or electronic form or another form.

5 Entry in register relating to person taken into custody (s.70(1) of the Act)

The prescribed form of the register is a document, whether in a physical or electronic form or another form, in which the following information is entered—

- (a) the name and address of the person taken into custody;
- (b) the date and time the person was taken into custody;
- (c) the grounds the police officer has for suspecting the matters mentioned in section 69(1) of the Act;
- (d) the police officer's name, rank, station and number in the Police Service.

7 Prescribed conditions of release (s.71(3)(d) of the Act)

(1) The following conditions are the prescribed conditions—

- (a) that the person must not possess a weapon until the matter is heard by a court;
- (b) that the person must be of good behaviour towards the aggrieved spouse;
- (c) that the person must not commit an act that would constitute domestic violence against the aggrieved spouse;
- (d) that the person must be of good behaviour towards a named relative or associate;
- (e) that the person must not commit any of the following acts against a named relative or associate—
 - (i) wilful injury;
 - (ii) wilful damage to the property of the relative or associate;
 - (iii) intimidation or harassment;

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- (iv) a threat to commit an act mentioned in subparagraphs (i) to (iii).

(2) The conditions mentioned in subsection (1)(d) and (e) apply only if the watch-house keeper considers it appropriate to name a relative or associate of the aggrieved spouse in the conditions of release.

8 Publication of proceedings (s.82(1)(b) of the Act)

(1) Publication of proceedings under or for the purposes of the Act is permitted if—

- (a) the matter is in the public domain; or
- (b) the community has a legitimate interest in the proceedings.

(2) A matter is in the public domain if—

- (a) proceedings involving a person were taken under another Act; and
- (b) the person was convicted in the proceedings; and
- (c) the proceedings were factually related to a previous domestic violence order made against the person as respondent spouse or to protect the person as an aggrieved spouse or an aggrieved person.

(3) The community has a legitimate interest in the proceedings if an incident happens where—

- (a) a respondent spouse causes the death of, or injury to, the aggrieved spouse or an aggrieved person and the incident results in the death of the respondent spouse; or
- (b) an aggrieved spouse or an aggrieved person causes the death of, or injury to, the respondent spouse and the incident results in the death of the aggrieved spouse or the aggrieved person.

9 Provision of statistical analysis

(1) The clerk of each court—

- (a) to which an application has been made under the Act; or
- (b) that has made a domestic violence order;

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must give the chief executive of the department a summary, in statistical form, of all domestic violence matters dealt with by the court during each month.

(2) The clerk must give the summary to the chief executive within 10 working days of the end of the month to which the summary relates.

(3) A clerk who provides a summary is not in breach of section 82 of the Act.

ENDNOTES

1 Index to 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). Accordingly, this reprint includes all amendments that commenced operation on or before 10 March 2003.

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
prev	= previous	unnum	= unnumbered

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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 latest reprint.

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

TABLE OF REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	28 May 1993	28 May 1993
1A	to SL No. 86 of 2000	12 May 2000	19 May 2000
1B	to SL No. 86 of 2000	1 July 2000	24 July 2000 (Column discontinued) Notes
1C	to SL No. 86 of 2000	10 March 2003	

5 List of legislation

Domestic Violence (Family Protection) Regulation 1993 SL No. 152

made by the Governor in Council on 20 May 1993
notfd gaz 21 May 1993 pp 541–4
ss 1–2 commenced on date of notification
remaining provisions commenced 28 May 1993 (see s 2)
rep 10 March 2003 (2003 SL No. 20 s 9)
amending legislation—

Domestic Violence (Family Protection) Amendment Regulation (No. 1) 2000 SL No. 86

notfd gaz 12 May 2000 pp 128–9
ss 3–4 commenced 12 May 2000 (see s 2(1))
s 5 commenced 1 July 2000 (see s 2(2))
remaining provisions commenced on date of notification

6 List of annotations

Prescribed laws (definition “interstate order”, s.3 of the Act)

s 3 amd 2000 SL No. 86 s 4

Search power etc. (s.70(3) of the Act)

s 6 om 2000 SL No. 86 s 5

Repeal

s 10 om R1 (see RA s 40)

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