



AUSTRALIAN CAPITAL TERRITORY

Protection Orders (Reciprocal Arrangements) (Consequential Amendments) Act 1992

No. 37 of 1992

An Act to make certain amendments consequent on the making of the *Protection Orders (Reciprocal Arrangements) Act 1992*

[Notified in ACT Gazette S103: 8 July 1992]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

PART I—PRELIMINARY

Short title

1. This Act may be cited as the *Protection Orders (Reciprocal Arrangements) (Consequential Amendments) Act 1992*.

Commencement

2. (1) The provisions of this Act, except sections 7 and 12, commence on the day on which this Act is notified in the *Gazette*.

(2) Sections 7 and 12 commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.

(3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

PART II—AMENDMENT OF DOMESTIC VIOLENCE ACT 1986

Principal Act

3. In this Part, “Principal Act” means the *Domestic Violence Act 1986*.

Interpretation

4. Section 3 of the Principal Act is amended—

- (a) by inserting “step-brother, step-sister,” after “half-sister,” in subparagraph (a) (iii) of the definition of “relative”; and
- (b) by inserting the following definition:
 - “‘vary’ includes adapt and modify.”.

Explaining proposed orders

5. Section 15 of the Principal Act is amended—

- (a) by omitting from paragraph (1) (d) “and”; and
- (b) by adding at the end of subsection (1) the following word and paragraph:
 - “; and (f) that, where a State or another Territory has reciprocal legislation in force, the proposed order may be registered, and enforced, in that State or other Territory without notice of registration being given to the respondent.”.

Offence

6. Section 27 of the Principal Act is amended by adding at the end the following subsection:

“(2) In paragraph (1) (b), a reference to contravening an order shall be read as including a reference to engaging in conduct outside the Territory that, if it were engaged in within the Territory, would contravene the order.”.

Schedule 2

7. Schedule 2 of the Principal Act is amended by adding at the end of Form 2 the following:

“**Note:** If a State or another Territory has reciprocal legislation in force, this order may be registered, and enforced, in that State or other Territory without notice of registration being given to the respondent.”.

PART III—AMENDMENT OF MAGISTRATES COURT ACT 1930

Principal Act

8. In this Part, “Principal Act” means the *Magistrates Court Act 1930*.

Interpretation

9. Section 196 of the Principal Act is amended by inserting the following definition:

“ ‘vary’ includes adapt and modify.”.

Explaining proposed orders

10. Section 206E of the Principal Act is amended—

(a) by omitting from paragraph (1) (d) “and”; and

(b) by adding at the end of subsection (1) the following word and paragraph:

“; and (f) that, where a State or another Territory has reciprocal legislation in force, the proposed order may be registered, and enforced, in that State or other Territory without notice of registration being given to the respondent.”.

Offence

11. Section 206L of the Principal Act is amended by adding at the end the following subsection:

“(2) In paragraph (1) (c), a reference to contravening an order shall be read as including a reference to engaging in conduct outside the Territory that, if it were engaged in within the Territory, would contravene the order.”.

The First Schedule

12. The First Schedule of the Principal Act is amended by adding at the end of Form 1A the following:

“**Note:** If a State or another Territory has reciprocal legislation in force, this order may be registered, and enforced, in that State or other Territory without notice of registration being given to the respondent.”.

[Presentation speech made in Assembly on 18 June 1992]