



AUSTRALIAN CAPITAL TERRITORY

Domestic Violence (Amendment) Act (No. 2) 1990

No. 36 of 1990

An Act to amend the *Domestic Violence Act 1986*

[Notified in ACT Gazette S76: 7 November 1990]

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

Short title

1. This Act may be cited as the *Domestic Violence (Amendment) Act (No. 2) 1990*.

Principal Act

2. In this Act, “Principal Act” means the *Domestic Violence Act 1986*.¹

Insertion

3. After section 14 of the Principal Act the following section is inserted:

Protection orders, interim protection orders—weapons

“14A. (1) Where a protection order is made in respect of a person who is the holder of a licence under the *Gun Licence Act 1937*, the licence is by force of this section cancelled unless, on application being made to it at the time of the making of the order, the court is satisfied that the licence should not be cancelled.

“(2) In determining an application under subsection (1), the court shall have regard to the matters specified in section 10.

“(3) The court may, in addition to making the protection order, order the seizure of any gun or pistol in the respondent’s possession.

“(4) Where a licence is cancelled by force of subsection (1) cancellation of the licence takes effect on the date of service of the order on that person.

“(5) Where the court makes an interim protection order, it may, if the respondent is the holder of a licence under the *Gun Licence Act 1937*, make an order—

- (a) suspending the licence for the period specified in the order; and
- (b) directing the seizure and detention for that period of any gun or pistol in the respondent’s possession.

“(6) In this section, ‘gun’ and ‘pistol’ have the same respective meanings as in the *Gun Licence Act 1937*.”.

Service etc. of order

4. Section 19 of the Principal Act is amended—

- (a) by inserting in subparagraph (1) (c) (i) “and the Registrar of Gun Licences” after “Police”; and
- (b) by adding at the end the following subsection:

“(3) Where an order is made under section 14A, the clerk shall cause a copy of the order to be forwarded to the Registrar of Gun Licences.”.

NOTE

1. Ordinance No. 52, 1986 as amended by Nos. 14, 21 and 38, 1989.

[Presentation speech made in Assembly on 22 February 1990.]

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