

1990
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

Presented, 22 February 1990

(Attorney-General)

**Domestic Violence (Amendment) Bill
1990**

A BILL

FOR

**An Act to amend the *Domestic Violence Act 1986* in
consequence of the *Weapons Act 1990***

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

Short title

- 5 1. This Act may be cited as the *Domestic Violence (Amendment) Act 1990*.

Commencement

2. This Act commences on the day on which the provisions of the *Weapons Act 1990*, other than sections 1 and 2, commence.

Principal Act

- 10 3. In this Act, "Principal Act" means the *Domestic Violence Act 1986*.¹

Insertion

4. 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 *Weapons Act 1990*, 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) If no application is made under subsection (1), the court may, in addition to making the protection order, order the seizure of any dangerous weapon or restricted weapon 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 *Weapons Act 1990*, make an order—

- (a) suspending the licence for the period specified in the order; and
- (b) directing the seizure of any dangerous weapon or restricted weapon in the respondent’s possession.

“(6) In this section ‘dangerous weapon’ and ‘restricted weapon’ have the same respective meanings as in the *Weapons Act 1990*.”.

Service etc. of order

5. Section 19 of the Principal Act is amended—

- (a) by inserting in subparagraph (1) (c) (i) “and the Registrar of Weapons” 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 Weapons.”.

NOTE

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

