



Australian Capital Territory

# Domestic Violence Agencies Act 1986

A1986-52

**Republication No 15**

**Effective: 22 September 2021**

Republication date: 22 September 2021

Last amendment made by [A2021-21](#)

## About this republication

### The republished law

This is a republication of the *Domestic Violence Agencies Act 1986* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 22 September 2021. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 22 September 2021.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Domestic Violence Agencies Act 1986

## Contents

---

	Page
<b>Part 1</b>	<b>Preliminary</b>
1	Name of Act 2
2	Dictionary 2
3	Notes 2
<b>Part 2</b>	<b>Domestic Violence Prevention Council</b>
4	Establishment of council 3
5	Objective and functions 3
6	Membership of council 5
6A	Chairperson of council 6
7	Appointed members' term 6
8	Ending of appointed member appointments 7
9	Meetings of council 8
10	Procedure at meetings 8

---

R15  
22/09/21

Domestic Violence Agencies Act 1986  
Effective: 22/09/21

contents 1

	Page
<b>Part 3</b>	
<b>Office of Domestic Violence Project Coordinator</b>	
11	9
12	9
13	10
14	10
16	11
<b>Part 3A</b>	
<b>Domestic and family violence incident review</b>	
<b>Division 3A.1</b>	
<b>Preliminary</b>	
16A	12
16B	12
16C	13
<b>Division 3A.2</b>	
<b>Domestic and family violence review coordinator</b>	
16D	15
16E	15
16F	16
16G	16
<b>Division 3A.3</b>	
<b>Advisory committees and independent advisers</b>	
16H	16
16I	17
16J	17
<b>Division 3A.4</b>	
<b>Register of domestic and family violence incidents</b>	
16K	17
16L	18
16M	19
16N	19
<b>Division 3A.5</b>	
<b>Information gathering and sharing</b>	
16O	20
16P	21
16Q	22
16R	22
16S	22
16T	23

	Page
16U Use and disclosure of protected information	23
<b>Division 3A.6 Reports about domestic and family violence incidents</b>	
16V Biennial report	25
16W Other reports	27
<b>Division 3A.7 Miscellaneous</b>	
16X Protection of DFVR coordinator etc from liability	28
16Y Review of part	28
<b>Part 4 Miscellaneous</b>	
17 Approval of crisis support organisations	29
18 Disclosure of information to an approved crisis support organisation	29
 <b>Dictionary</b>	 30
 <b>Endnotes</b>	
1 About the endnotes	32
2 Abbreviation key	32
3 Legislation history	33
4 Amendment history	39
5 Earlier republications	51
6 Renumbered provisions	53





Australian Capital Territory

# Domestic Violence Agencies Act 1986

---

An Act relating to family violence, and for other purposes

---

## Part 1 Preliminary

### 1 Name of Act

This Act is the *Domestic Violence Agencies Act 1986*.

### 2 Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example the signpost definitions ‘*family violence*—see the *Family Violence Act 2016*, section 8.’ means that the term ‘family violence’ is defined in that section of that Act and the definition applies to this Act.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see *Legislation Act 2001*, s 155 and s 156 (1)).

### 3 Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See *Legislation Act 2001*, s 127 (1), (4) and (5) for the legal status of notes.



## Part 2                      Domestic Violence Prevention Council

### 4                      Establishment of council

The Domestic Violence Prevention Council is established.

### 5                      Objective and functions

- (1) The objective of the council is to reduce the incidence of family violence offences.
- (2) The functions of the council are—
  - (a) to promote collaboration among government agencies and non-government organisations involved in—
    - (i) law enforcement; or
    - (ii) the provision of health, education, crisis or welfare services to victims or perpetrators of family violence or otherwise relating to the incidence or prevention of family violence; and
  - (b) to assist and encourage the agencies and organisations referred to in paragraph (a) to promote projects and programs aimed at enhancing the safety and security of victims of family violence offences, with particular regard to children; and
  - (c) to advise the Minister on any matter relating to family violence; and
  - (d) to inquire into and provide advice to the Minister on matters relating to family violence that have been referred to the council by the Minister; and
  - (e) to establish and maintain links with and among government agencies and non-government organisations concerned with family violence; and

- (f) to assist government agencies and non-government organisations to develop procedures for the collection, standardisation and sharing of statistical information relating to family violence offences; and
- (g) to collect statistical and other information relating to family violence offences; and
- (h) to prepare and submit to the Minister a plan for dealing with family violence in the community, including recommendations on—
  - (i) any changes in the law or its administration that may be necessary; and
  - (ii) improving the effectiveness of the provision of assistance to victims of family violence offences; and
  - (iii) the prevention of the occurrence of family violence offences; and
  - (iv) developing systems for monitoring the effectiveness of any programs recommended in the plan that are implemented; and
- (i) to monitor developments within and outside Australia of legislation, policy and community views on family violence and the provision of health and welfare services to victims and perpetrators of family violence offences; and
- (j) to give directions to the coordinator.

*Note* A provision of a law that gives an entity a function also gives the entity powers necessary and convenient to exercise the function (see [Legislation Act](#), s 196 and dict, pt 1, def of *entity*).

## 6 Membership of council

- (1) The council consists of—
- (a) the coordinator; and
  - (b) 12 other members (each of whom is an *appointed member*) appointed by the Minister.

*Note 1* For the making of appointments (including acting appointments), see the [Legislation Act](#), pt 19.3.

*Note 2* In particular, a person may be appointed for a particular provision of a law (see [Legislation Act](#), s 7 (3)) and an appointment may be made by naming a person or nominating the occupant of a position (see [Legislation Act](#) s 207).

*Note 3* Certain Ministerial appointments require consultation with a Legislative Assembly committee and are disallowable (see [Legislation Act](#), div 19.3.3).

- (2) The appointed members must consist of—
- (a) at least 6 people as community members, including—
    - (i) at least 1 person who the Minister considers is capable of representing the views and interests of people of Aboriginal and Torres Strait Islands descent; and
    - (ii) at least 1 person who the Minister considers is capable of representing the views and interests of people of non-English speaking background; and
    - (iii) at least 1 representative of the Domestic Violence Crisis Service Incorporated; and
  - (b) other people who are—
    - (i) statutory office holders; or
    - (ii) public servants; or
    - (iii) police officers.

- (3) The instrument making or evidencing the appointment of a person as an appointed member must state the capacity in which the person is appointed.
- (4) The Minister may appoint a person to the council as a community member only if the Minister considers that the person is familiar with the views and interests of the community on matters relating to family violence and is capable of representing those views and interests.
- (5) The Minister may appoint a statutory office holder to the council only if satisfied that the exercise of the functions of the office requires its holder to have experience and expertise that would assist the council to exercise its functions.
- (6) The Minister may appoint a public servant or police officer to the council only if—
  - (a) the person has a position the functions of which involve dealing with matters that are relevant to a function of the council; and
  - (b) the Minister considers that the person has the experience and expertise that would assist the council to exercise its functions.

## **6A Chairperson of council**

The Minister must appoint an appointed member as chairperson of the council.

*Note* For the making of appointments (including acting appointments), see the [Legislation Act](#), pt 19.3.

## **7 Appointed members' term**

An appointed member must not be appointed for more than 3 years.

*Note* A person may be reappointed to a position if the person is eligible to be appointed to the position (see [Legislation Act](#), s 208 and dict, pt 1, def of *appoint*).

## 8 Ending of appointed member appointments

- (1) A person appointed as a member because the person is a statutory office holder stops being a member if the person stops being the statutory office holder.
- (2) A person appointed as a member because the person is a public servant or police officer stops being a member if the person ceases to occupy the office mentioned in section 6 (6) (a).
- (3) The Minister must end the appointment of an appointed member—
  - (a) for misbehaviour; or
  - (b) for physical or mental incapacity; or
  - (c) if the member becomes bankrupt or personally insolvent; or

*Note* **Bankrupt or personally insolvent**—see the [Legislation Act](#), dictionary, pt 1.

- (d) if the member is absent, without the permission of the chairperson, from—
  - (i) 3 consecutive meetings of the council; or
  - (ii) 4 out of 6 consecutive meetings of the council; or
- (e) if the member is convicted, in the ACT, of an offence punishable by imprisonment for at least 1 year; or
- (f) if the member is convicted outside the ACT, in Australia or elsewhere, of an offence that, if it had been committed in the ACT, would have been punishable by imprisonment for at least 1 year.

*Note* A person's appointment also ends if the person resigns (see [Legislation Act](#), s 210).

**9 Meetings of council**

- (1) The chairperson shall call a meeting of the council—
  - (a) whenever he or she deems it necessary for the effective discharge of the functions of the council; or
  - (b) on receipt of a written request by the Minister; or
  - (c) on receipt of a written request signed by not less than 3 other members of the council; or
  - (d) whenever necessary to ensure that subsection (2) is complied with.
- (2) The council shall hold a meeting at least once in any period of 3 months.
- (3) The council shall hold a meeting in accordance with any resolution of the council.

**10 Procedure at meetings**

- (1) The chairperson shall preside at all meetings at which he or she is present.
- (2) If the chairperson is not present at a meeting or part of a meeting, the members present shall elect 1 of their number to preside at the meeting or part.
- (3) At a meeting of the council a quorum shall consist of the majority of members for the time being.
- (4) Questions arising at a meeting shall be decided by a majority of votes of members present and voting.
- (5) The council shall keep written minutes of its proceedings.
- (6) Subject to this Act, the procedures of the council shall be as the council determines.

## Part 3 Office of Domestic Violence Project Coordinator

### 11 Domestic violence project coordinator

The victims of crime commissioner is the domestic violence project coordinator (the *coordinator*).

*Note* The victims of crime commissioner is a member of the human rights commission appointed under the *Human Rights Commission Act 2005*, s 18D.

### 12 Functions

The coordinator has the following functions in relation to family violence:

- (a) to monitor and promote compliance with the policies of the ACT and Commonwealth governments;
- (b) to assist government agencies and non-government organisations involved in—
  - (i) law enforcement; or
  - (ii) the provision of health, education, crisis or welfare services to victims or perpetrators of family violence or otherwise relating to the incidence or prevention of family violence;to provide services of the highest standard;
- (c) to assist and encourage the agencies and organisations referred to in paragraph (b) to provide appropriate educational programs;
- (d) to facilitate cooperation among the agencies and organisations referred to in paragraph (b);

(e) to assist in the development and implementation of policies and programs as directed by the council;

(f) to carry out any other functions the council directs.

*Note* A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see [Legislation Act](#), s 196 and dict, pt 1, def of *entity*).

### 13 Term and conditions of office

The coordinator must be appointed—

(a) for a term not longer than 3 years; and

(b) on terms and conditions stated in the instrument of appointment unless otherwise provided for in this Act or another territory law.

*Note* A person may be reappointed to a position if the person is eligible to be appointed to the position (see [Legislation Act](#), s 208 and dict, pt 1, def of appoint).

### 14 Termination of appointment

The Minister may terminate the appointment of the coordinator—

(a) for misbehaviour or physical or mental incapacity; or

(b) in accordance with the instrument of appointment.

*Note* A person's appointment also ends if the person resigns (see [Legislation Act](#), s 210).



**16 Protection of coordinators etc from liability**

- (1) The coordinator, or a person acting under the direction of the coordinator, is not personally liable for anything done, or omitted to be done honestly and without recklessness—
  - (a) in the exercise of a function under this Act or another law; or
  - (b) in the reasonable belief that the act was in the exercise of a function under this Act or another law.
- (2) Any liability that would, apart from this section attach to the coordinator, or a person acting under the direction of the coordinator, attaches instead to the Territory.

## Part 3A Domestic and family violence incident review

### Division 3A.1 Preliminary

#### 16A Purpose—pt 3A

The purpose of this part is to establish the role of the Domestic and Family Violence Review Coordinator to—

- (a) identify preventative measures to reduce family violence; and
- (b) increase recognition of the impact of, and circumstances surrounding, family violence and gain a greater understanding of the context in which family violence occurs; and
- (c) make recommendations to the Minister for implementation by government and the private-sector to prevent or reduce the likelihood of family violence.

#### 16B Definitions—pt 3A

In this part:

*advisory committee* means an advisory committee established under section 16G.

*DFVR coordinator*—see section 16D (1).

*independent adviser* means an independent adviser appointed under section 16I.

*register* means the register of domestic or family violence incidents kept under section 16K.

*serious harm*—see the [Criminal Code](#), dictionary.

**16C Meaning of *domestic or family violence incident*—pt 3A**

(1) In this part:

*domestic or family violence incident* means an incident resulting in the death of, or serious harm to, a person that occurs—

(a) in circumstances involving family violence; and

(b) either—

(i) in the ACT; or

(ii) if the incident involves a person who lived in the ACT at the time of the incident—outside of the ACT.

(2) For this section, an incident occurs in *circumstances involving family violence* if—

(a) if the death of, or serious harm to, a person (an *affected person*) resulting from the incident was caused by another person (the *perpetrator*)—

(i) the affected person was, or had been, in a relevant relationship with the perpetrator that involved family violence; or

(ii) at the time of the incident, the affected person was in a relevant relationship with a person who was, or had been, in a relevant relationship with the perpetrator that involved family violence; or

(iii) at the time of the incident, the perpetrator mistakenly believed the affected person was in a relevant relationship with a person who was, or had been, in a relevant relationship with the perpetrator that involved family violence; or

- (iv) at the time of the incident, the affected person was a witness to, present at, or attempted to intervene in, an incident of family violence between the perpetrator and a person who was, or had been, in a relevant relationship with the second person; or
  - (v) at the time of the incident, the affected person was a witness to, present at, or attempted to intervene in violence between the perpetrator and a person who the perpetrator mistakenly believed was in a relevant relationship with a person who was, or had been, in a relevant relationship with the perpetrator that involved family violence; or
  - (b) if the incident results in a person dying by suicide—the person was, or had been, in a relevant relationship with another person that involved family violence; or
  - (c) if the incident results in a person seriously harming themselves—the person was, or had been, in a relevant relationship with another person that involved family violence; or
  - (d) if the incident results in a person dying or being seriously harmed in another way—the incident occurred in other circumstances for which family violence was a contributing factor.
- (3) In this section:

***family member***—see the *Family Violence Act 2016*, section 9.

***relevant relationship***, of a person with another person, means the person was, or has been, a family member of the other person.

## **Division 3A.2      Domestic and family violence review coordinator**

### **16D      DFVR coordinator—appointment**

- (1) The Minister must appoint a public servant as the Domestic and Family Violence Review Coordinator (the *DFVR coordinator*).

*Note*      For laws about appointments, see the [Legislation Act](#), pt 19.3.

- (2) However, the Minister may only appoint the person as the DFVR coordinator if satisfied that the person has suitable qualifications and experience to exercise the functions of the DFVR coordinator.

### **16E      DFVR coordinator—functions**

The DFVR coordinator's main functions are as follows:

- (a) to keep a register of domestic and family violence incidents;
- (b) to collect information about suspected domestic and family violence incidents;
- (c) to identify patterns and trends in relation to family violence;
- (d) to undertake research that aims to help prevent or reduce the likelihood of family violence;
- (e) to identify areas requiring further research by the coordinator or another entity that arise from the identified patterns and trends in relation to family violence;
- (f) to make recommendations about legislation, policies, practices and services for implementation by the Territory and non-government bodies to help prevent or reduce the likelihood of family violence;
- (g) to contribute to national research and review of domestic and family violence policy and undertake associated research;

- (h) to monitor the implementation of the coordinator's recommendations;
- (i) to report to the Minister;
- (j) any other function given to the coordinator under this Act or another territory law.

**16F DFVR coordinator—independence**

The DFVR coordinator is not subject to the direction of the director-general in the exercise of the coordinator's functions.

**16G Delegation by DFVR coordinator**

The DFVR coordinator may delegate the coordinator's functions under this Act to another public servant.

*Note* For laws about delegations, see the [Legislation Act](#), pt 19.4.

**Division 3A.3 Advisory committees and independent advisers**

**16H Advisory committees**

- (1) The DFVR coordinator may establish advisory committees to assist the coordinator in the exercise of the coordinator's functions.
- (2) An advisory committee must, on request of the DFVR coordinator, provide advice to the coordinator on the exercise of the coordinator's functions.
- (3) In exercising its functions, an advisory committee may consult with independent advisers appointed under section 16I.

**16I Independent advisers**

- (1) The DFVR coordinator may appoint a person as an independent adviser—
  - (a) on the request of an advisory committee, to assist the committee in the exercise of its functions; or
  - (b) on the coordinator's own initiative, to assist the coordinator in the exercise of the coordinator's functions.

*Note* For laws about appointments, see the [Legislation Act](#), pt 19.3.

- (2) An appointment may be subject to conditions stated in the appointment.

**16J Conflict of interest**

A member of an advisory committee or independent adviser must take all reasonable steps to avoid being placed in a position where a conflict of interest arises when advising the DFVR coordinator.

**Division 3A.4 Register of domestic and family violence incidents**

**16K Register of domestic and family violence incidents**

- (1) The DFVR coordinator may keep a register of domestic or family violence incidents.
- (2) The register may include—
  - (a) incidents that the DFVR coordinator suspects are domestic or family violence incidents; and
  - (b) domestic or family violence incidents (or suspected domestic or family violence incidents) occurring before the commencement of this part.

- (3) The register may be kept—
- (a) in any form the coordinator considers appropriate, including electronically; or
  - (b) in the form of 1 or more registers, or 1 or more parts.

**16L Register of domestic and family violence incidents—  
content**

The register may include—

- (a) any of the following information in relation to a person involved in a domestic or family violence incident the DFVR coordinator considers relevant to the exercise of the coordinator’s functions:
  - (i) personal identifying information;
  - (ii) personal circumstances;
  - (iii) health information relevant to family violence;
  - (iv) criminal history;
  - (v) history of family violence;
  - (vi) interaction with a community-based service; and
- (b) any other demographic data available to the DFVR coordinator; and
- (c) any other information about a domestic or family violence incident, or a person involved in an incident, that the DFVR coordinator considers relevant to the exercise of the coordinator’s functions.



**16M Register of domestic and family violence incidents—  
access**

- (1) The DFVR coordinator must ensure—
  - (a) that the register is accessed only by the following:
    - (i) a delegate of the coordinator;
    - (ii) a person authorised, in writing, by the coordinator to access the register or part of it; and
  - (b) that personal information on the register is disclosed only to a person with access to the register—
    - (i) for the purpose of exercising a function under this part; or
    - (ii) as otherwise required or authorised under this part.
- (2) The DFVR coordinator must notify a person with access to the register of the person's obligations to deal with information on the register in accordance with the requirements under this Act or another territory or Commonwealth law.

**16N Information kept on register—admissibility of evidence**

- (1) The following are not admissible as evidence in a proceeding before a court:
  - (a) a record of information on the register;
  - (b) an oral statement made to a person exercising a function of the DFVR coordinator;
  - (c) a document given to a person exercising a function of the DFVR coordinator, but only to the extent that it was prepared only for the person;
  - (d) a document prepared by a person exercising a function of the DFVR coordinator.

(2) This section is subject to section 16R (Sharing information with Coroner's Court).

(3) In this section:

*court* includes a tribunal, authority or person with power to require the production of documents or the answering of questions.

## Division 3A.5 Information gathering and sharing

### 16O Power to ask for information—relevant entities

(1) The DFVR coordinator may, in writing, ask a relevant entity to give the coordinator information held by the entity that the coordinator considers reasonably necessary to—

- (a) determine whether an incident is a domestic or family violence incident; or
- (b) otherwise exercise the coordinator's functions.

(2) However, the DFVR coordinator must not ask for information in relation to a domestic or family violence incident resulting in serious harm to a person without the consent of the harmed person.

(3) The relevant entity must comply with the request within a reasonable time, being not more than 15 working days after receiving the request.

(4) However, the relevant entity need not comply with the request if the entity gives the DFVR coordinator a reasonable excuse for not complying.

(5) In this section:

*relevant entity* means each of the following:

- (a) the chief police officer;

- (b) a director-general of an administrative unit;
- (c) a community-based service;
- (d) an entity prescribed by regulation.

**16P Power to require information, document or other thing**

- (1) This section applies if the DFVR coordinator believes on reasonable grounds that a person can give information or produce a document or other thing that the coordinator considers necessary to exercise their functions.
- (2) The DFVR coordinator may, by written notice given to the person, require the person to give the information in writing or produce the document or other thing.
- (3) However, the DFVR coordinator must not give a notice—
  - (a) to a family member of a person who has died or is seriously harmed in a domestic or family violence incident; or
  - (b) in relation to a domestic or family violence incident resulting in serious harm to a person without the consent of the harmed person.
- (4) The notice must state how, and the time within which, the person must comply with the requirement.
- (5) A person commits an offence if—
  - (a) the person is required by a notice under this section to give information or produce a document or other thing; and
  - (b) the person fails to give the information or produce the document or other thing.

Maximum penalty: 50 penalty units.

*Note 1* The [Legislation Act](#), s 170 and s 171 deal with the application of the privilege against self-incrimination and client legal privilege.

*Note 2* Giving false information is an offence against the [Criminal Code](#), s 338.

- (6) Subsection (5) does not apply if the person has a reasonable excuse for failing to give the information or produce the document or other thing to the DFVR coordinator as required.

**16Q Sharing information—corresponding interstate entities**

- (1) The DFVR coordinator may enter into an agreement with an entity that exercises a function under a law of a State, corresponding or substantially corresponding to a function of the coordinator, to share information relevant to the function.
- (2) Also, the DFVR coordinator may enter into an agreement with a State to share information for the purpose of contributing to national research or review of domestic and family violence policy.
- (3) The DFVR coordinator must ensure an agreement provides that information shared with the entity is protected to the extent it is protected under this part and any other territory law.

**16R Sharing information with Coroner’s Court**

- (1) This section applies if the DFVR coordinator is satisfied that giving information kept on the register would assist the Coroner’s Court in an inquest concerning the death of a person relating to a domestic or family violence incident or suspected incident.
- (2) The DFVR coordinator may give the information to the Coroner’s Court.
- (3) The Coroner’s Court may use the information in relation to the inquest.

**16S Providing information etc—other circumstances**

Nothing in this division prevents a person sharing information with, or producing a document or other thing to, the DFVR coordinator, or the coordinator using any information given, or document or other thing produced, for the exercise of the coordinator’s functions.

**16T Information sharing guidelines**

- (1) A relevant entity may make guidelines (*information sharing guidelines*) for how the entity is to share information with the DFVR coordinator under this division.
- (2) Before making a guideline, the entity—
  - (a) must consult the DFVR coordinator; and
  - (b) may consult anyone else the entity considers appropriate.
- (3) A guideline is a notifiable instrument.
- (4) In this section:  
*relevant entity*—see section 16O (5).

**16U Use and disclosure of protected information**

- (1) An information holder commits an offence if—
  - (a) the information holder uses information; and
  - (b) the information is protected information about someone else; and
  - (c) the information holder is reckless about whether the information is protected information about someone else.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) An information holder commits an offence if—
  - (a) the information holder does something that discloses information; and
  - (b) the information is protected information about someone else; and

- (c) the information holder is reckless about whether—
  - (i) the information is protected information about someone else; and
  - (ii) doing the thing would result in the information being disclosed to someone else.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (3) Subsections (1) and (2) do not apply if the information holder uses or discloses protected information about someone else (the *protected person*)—
  - (a) under this Act or another law applying in the ACT; or
  - (b) to the chief police officer in connection with a possible offence; or
  - (c) in relation to the exercise of a function, as an information holder, under this Act or another law applying in the ACT; or
  - (d) in a court proceeding; or
  - (e) with the protected person's consent.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

- (4) An information holder need not disclose protected information to a court, or produce a document containing protected information to a court, unless it is necessary to do so for this Act or another law applying in the ACT.
- (5) In this section:

*court* includes a tribunal, authority or person having power to require the production of documents or the answering of questions.

*disclose* includes—

- (a) communicate; or
- (b) publish.

*information* means information, whether true or not, in any form and includes an opinion and advice.

*information holder* means—

- (a) a person who is, or has been—
  - (i) the DFVR coordinator; or
  - (ii) a person exercising a function of the DFVR coordinator; or
  - (iii) a member of an advisory committee; or
  - (iv) an independent adviser; or
- (b) anyone else who exercises or has exercised a function under this Act.

*produce* includes allow access to.

*protected information* means information about a person that is disclosed to, or obtained by, an information holder because of the exercise of a function under this Act by the information holder or someone else.

*use*, in relation to information, includes make a record of the information.

## **Division 3A.6      Reports about domestic and family    violence incidents**

### **16V      Biennial report**

- (1) The DFVR coordinator must report to the Minister about domestic or family violence incidents included on the register (*registered incidents*) during the reporting period.

- (2) The report must include the following:
  - (a) the number of registered incidents;
  - (b) the incidence of interactions between people involved in registered incidents and police, the courts or community-based services.
- (3) The DFVR coordinator may include in the report—
  - (a) demographic information about people involved in domestic or family violence incidents; and
  - (b) any patterns or trends identified in relation to registered incidents; and
  - (c) any recommendations about legislation, policies, practices or services for implementation by the Territory and non-government bodies to help prevent or reduce the likelihood of family violence; and
  - (b) information about the implementation of any previous recommendations of the DFVR coordinator; and
  - (c) any other matter the DFVR coordinator considers relevant.
- (4) However the DFVR coordinator must not include in the report any information that, in the opinion of the coordinator, would—
  - (a) disclose the identity of people involved in a registered incident; or
  - (b) allow the identity of a person involved in a registered incident to be easily worked out.
- (5) The DFVR coordinator must give the Minister the report within 4 months after the end of the review period.
- (6) The Minister must present the report to the Legislative Assembly within 6 sitting days after the day the report is given to the Minister.



- (7) Within 3 months after receiving a report under subsection (1), the Minister must give information to the DFVR coordinator about any action the Minister has taken, or will take, in relation to the matters raised in the report.
- (8) In this section:  
*reporting period* means a period of 2 years, beginning on 1 July 2021.

#### **16W Other reports**

- (1) The DFVR coordinator may, at any time, prepare a report for the Minister on any matter arising in connection with the exercise of the coordinator's functions.
- (2) However, the DFVR coordinator must not include in the report any information that, in the opinion of the coordinator, would—
- (a) disclose the identity of people involved in a registered incident;  
or
  - (b) allow the identity of a person involved in a registered incident to be easily worked out.
- (3) The Minister must present the report to the Legislative Assembly within 6 sitting days after the day the report is given to the Minister.
- (4) Within 3 months after receiving a report under subsection (1), the Minister must give information to the DFVR coordinator about any action the Minister has taken, or will take, in relation to the matters raised in the report.
- (5) In this section:  
*registered incident*—see section 16V (1).

## Division 3A.7      Miscellaneous

### 16X      Protection of DFVR coordinator etc from liability

- (1) The DFVR coordinator, or a person acting under the direction of the coordinator, is not civilly liable for conduct engaged in honestly and without recklessness—
  - (a) in the exercise of a function under this Act; or
  - (b) in the reasonable belief that the conduct was in the exercise of a function under this Act.
- (2) Any liability that would, apart from this section, attach to the DFVR coordinator, or a person acting under the direction of the coordinator, attaches instead to the Territory.
- (3) In this section:  
*conduct* means an act or omission to do an act.

### 16Y      Review of part

- (1) The Minister must review the operation of this part as soon as practicable after the end of its third year of operation.
- (2) The Minister must present a report of the review to the Legislative Assembly within 3 months after the day the review is started.
- (3) This section expires 4 years after the day it commences.

## Part 4                      Miscellaneous

### 17                      Approval of crisis support organisations

- (1) The Minister may approve an organisation to be a crisis support organisation for this Act.
- (2) An approval is a disallowable instrument.

*Note*            A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act 2001](#).

### 18                      Disclosure of information to an approved crisis support organisation

If a police officer or a staff member of the Australian Federal Police suspects on reasonable grounds that a family violence offence has been, is being or is likely to be committed in relation to a person, a police officer or staff member may disclose to an approved crisis support organisation any information that is likely to aid the organisation in rendering assistance to the person or to any children of the person.

## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this Act.

*Note 2* For example, the [Legislation Act](#), dict, pt 1 defines the following terms:

- administrative unit
- bankrupt or personally insolvent
- chief police officer
- director-general (see s 163)
- police officer
- public servant
- territory law.

***advisory committee***, for part 3A (Domestic and family violence incident review)—see section 16B.

***appointed member***—see section 6 (1).

***approved crisis support organisation*** means an organisation approved under section 17.

***child***, of a person, includes—

- (a) a child who normally lives with the person; and
- (b) a child for whom the person is a guardian.

***coordinator***—see section 11.

*Note* The victims of crime commissioner is the coordinator.

***council*** means the Domestic Violence Prevention Council established by section 4.

***DFVR coordinator***, for part 3A (Domestic and family violence incident review)—see section 16B.

***domestic or family violence incident***, for part 3A (Domestic and family violence incident review)—see section 16C.

*family violence*—see the *Family Violence Act 2016*, section 8.

*family violence offence*—see the *Family Violence Act 2016*, dictionary.

*independent adviser*, for part 3A (Domestic and family violence incident review)—see section 16B.

*member* means a member of the council.

*register*, for part 3A (Domestic and family violence incident review)—see section 16B.

*serious harm*, for part 3A (Domestic and family violence incident review)—see section 16B.

## Endnotes

1 About the endnotes

---

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

The *Domestic Violence Agencies Act 1986* was originally the *Domestic Violence Ordinance 1986*. It became an ACT Act on self-government (11 May 1989) and was later renamed by the *Protection Orders (Consequential Amendments) Act 2001* (see amdt 1.41).

After 11 May 1989 and before 10 November 1999, Acts commenced on their notification day unless otherwise stated (see *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) s 25).

#### Legislation before self-government

##### **Domestic Violence Agencies Act 1986 A1986-52**

notified 4 September 1986

commenced 1 October 1986 (s 2 and Cwlth Gaz 1986 No S484)

as amended by

##### **Drug Laws (Consequential Amendments) Ordinance 1989 Ord1989-14 s 3**

notified 15 March 1989

commenced 1 April 1989 (s 2 and Cwlth Gaz 1989 No S109)

##### **Self-Government (Consequential Amendments) Ordinance 1989 Ord1989-38 sch 1**

notified 10 May 1989 (Cwlth Gaz 1989 No S160)

s 1, s 2 commenced 10 May 1989 (s 2 (1))

sch 1 commenced 11 May 1989 (s 2 (2) and see Cwlth Gaz 1989 No S164)

#### Legislation after self-government

##### **Domestic Violence (Amendment) Act 1990 A1990-30**

notified 28 September 1990 (Gaz 1990 No S67)

commenced 28 September 1990

##### **Domestic Violence (Amendment) Act (No 2) 1990 A1990-36**

notified 7 November 1990 (Gaz 1990 No S76)

commenced 7 November 1990

## Endnotes

3 Legislation history

---

**Magistrates Court (Amendment) Act 1990 A1990-65 s 8**

notified 24 December 1990 (Gaz 1990 No S98)  
commenced 24 December 1990

**Weapons (Consequential Amendments) Act 1991 A1991-9 sch**

notified 3 April 1991 (Gaz 1991 No S19)  
s 1, s 2 commenced 3 April 1991 (s 2 (1))  
sch commenced 3 October 1991 (s 2 (2))

**Magistrates and Coroner's Courts (Registrar) Act 1991 A1991-44  
sch 1**

notified 20 September 1991 (Gaz 1991 No S95)  
s 1, s 2 commenced 20 September 1991 (s 2 (1))  
sch 1 commenced 25 September 1991 (s 2 (2) and Gaz 1991  
No S103)

**Bail (Consequential Amendments) Act 1992 A1992-9 sch**

notified 28 May 1992 (Gaz 1992 No S59)  
s 1, s 2 commenced 28 May 1992 (s 2 (1))  
sch commenced 28 November 1992 (s 2 (3))

**Domestic Violence (Amendment) Act 1992 A1992-34**

notified 8 July 1992 (Gaz 1992 No S103)  
commenced 8 July 1992

**Protection Orders (Reciprocal Arrangements) (Consequential  
Amendments) Act 1992 A1992-37 pt 2 (ss 3-7)**

notified 8 July 1992 (Gaz 1992 No S103)  
ss 1-6 and 8-11 commenced 8 July 1992 (s 2 (1))  
s 7, s 12 commenced 3 August 1992 (s 2 (2) and Gaz 1992 No S130)

**Statute Law Revision Act 1994 A1994-26 sch**

notified 31 May 1994 (Gaz 1994 No S93)  
commenced 31 May 1994 (s 2)

**Statute Law Revision (Penalties) Act 1994 A1994-81 sch**

notified 29 November 1994 (Gaz 1994 No S253)  
s 1, s 2 commenced 29 November 1994 (s 2 (1))  
sch commenced 29 November 1994 (s 2 (2) and Gaz 1994 No S269)



**Statute Law Revision Act 1995 A1995-46 sch**

notified 18 December 1995 (Gaz 1995 No S306)  
commenced 18 December 1995 (s 2)

**Domestic Violence (Amendment) Act 1996 A1996-3**

notified 12 March 1996 (Gaz 1996 No S35)  
ss 1-3 commenced 12 March 1996 (s 2 (1))  
remainder commenced 11 June 1996 (s 2 (2)) and see Cwlth Gaz 1996  
No GN5)

**Domestic Violence (Amendment) Act (No 2) 1996 A1996-37**

notified 10 July 1996 (Gaz 1996 No S160)  
commenced 10 July 1996 (s 2)

**Firearms Act 1996 A1996-74 sch 3**

notified 20 December 1996 (Gaz 1996 No S328)  
s 1, s 2 commenced 20 December 1996 (s 2 (1))  
sch 3 commenced 17 May 1997 (s 2 (2)) and Gaz 1997 No S135)

**Domestic Violence (Amendment) Act 1997 A1997-24**

notified 29 May 1997 (Gaz 1997 No S136)  
ss 1-3 commenced 29 May 1997 (s 2 (1))  
remainder commenced 30 May 1997 (s 2 (2)) and see Gaz 1997  
No S149)

**Domestic Violence (Amendment) Act (No 2) 1997 A1997-37**

notified 16 July 1997 (Gaz 1997 No S185)  
ss 1-3 commenced 16 July 1997 (s 2 (1))  
remainder commenced 17 October 1997 (s 2 (2)) and Gaz 1997  
No S310)

**Domestic Violence (Amendment) Act (No 3) 1997 A1997-65**

notified 9 October 1997 (Gaz 1997 No S300)  
ss 1-3 commenced 9 October 1997 (s 2 (1))  
remainder commenced 1 November 1997 (s 2 (2)) and Gaz 1997  
No S332)

**Legal Practitioners (Consequential Amendments) Act 1997 A1997-96  
sch 1**

notified 1 December 1997 (Gaz 1997 No S380)  
s 1, s 2 commenced 1 December 1997 (s 2 (1))  
sch 1 commenced 1 June 1998 (s 2 (2))

## Endnotes

3 Legislation history

---

### **Domestic Violence (Amendment) Act 1998 A1998-37**

notified 14 October 1998 (Gaz 1998 No S41)  
ss 1-3 commenced 14 October 1998 (s 2 (1))  
remainder commenced 19 October 1998 (s 2 (2) and Gaz 1998 No 41)

### **Domestic Violence (Amendment) Act (No 2) 1998 A1998-68**

notified 23 December 1998 (Gaz 1998 No S212)  
ss 1-3 commenced 23 December 1998 (s 2 (1))  
remainder commenced 23 December 1998 (s 2 (2) and Gaz 1998 No 51)

### **Children and Young People (Consequential Amendments) Act 1999 A1999-64 sch 2**

notified 10 November 1999 (Gaz 1999 No 45)  
s 1, s 2 commenced 10 November 1999 (s 2 (1))  
sch 2 commenced 10 May 2000 (s 2 (2))

### **Road Transport Legislation Amendment Act 1999 A1999-79 sch 3**

notified 23 December 1999 (Gaz 1999 No S65)  
s 1, s 2 commenced 23 December 1999 (IA s 10B)  
sch 3 commenced 1 March 2000 (s 2 and see Gaz 2000 No S5)

### **Legislation (Consequential Amendments) Act 2001 A2001-44 pt 109**

notified 26 July 2001 (Gaz 2001 No 30)  
s 1, s 2 commenced 26 July 2001 (IA s 10B)  
pt 109 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

### **Protection Orders (Consequential Amendments) Act 2001 A2001-90 sch 1 pt 4**

notified LR 27 September 2001  
s 1, s 2 commenced 27 September 2001 (LA s 75)  
sch 1 pt 4 commenced 27 March 2002 (s 2, see [Protection Orders Act 2001](#) s 3 and LA s 79)

### **Domestic Violence and Protection Orders Amendment Act 2005 A2005-13 sch 1 pt 1.7**

notified LR 24 March 2005  
s 1, s 2 commenced 24 March 2005 (LA s 75 (1))  
sch 1 pt 1.7 commenced 25 March 2005 (s 2)

**Justice and Community Safety Legislation Amendment Act 2007****A2007-22 sch 1 pt 1.9**

notified LR 5 September 2007

s 1, s 2 commenced 5 September 2007 (LA s 75 (1))

sch 1 pt 1.9 commenced 6 September 2007 (s 2)

**Statute Law Amendment Act 2007 (No 3) A2007-39 sch 3 pt 3.10**

notified LR 6 December 2007

s 1, s 2 commenced 6 December 2007 (LA s 75 (1))

sch 3 pt 3.10 commenced 27 December 2007 (s 2)

**Domestic Violence and Protection Orders Act 2008 A2008-46 sch 3 pt 3.8**

notified LR 10 September 2008

s 1, s 2 commenced 10 September 2008 (LA s 75 (1))

sch 3 pt 3.8 commenced 30 March 2009 (s 2)

**Justice and Community Safety Legislation Amendment Act 2010 (No 2) A2010-30 sch 1 pt 1.8**

notified LR 31 August 2010

s 1, s 2 commenced 31 August 2010 (LA s 75 (1))

s 3 commenced 1 September 2010 (s 2 (1))

sch 1 pt 1.8 commenced 28 September 2010 (s 2 (2))

**Protection of Rights (Services) Legislation Amendment Act 2016****A2016-1 sch 1 pt 1.1**

notified LR 23 February 2016

s 1, s 2 commenced 23 February 2016 (LA s 75 (1))

sch 1 pt 1.1 commenced 1 April 2016 (s 2)

**Family Violence Act 2016 A2016-42 sch 3 pt 3.12 (as am by A2017-10 s 7)**

notified LR 18 August 2016

s 1, s 2 commenced 18 August 2016 (LA s 75 (1))

sch 3 pt 3.12 commenced 1 May 2017 (s 2 (2) as am by [A2017-10 s 7](#))

## Endnotes

3 Legislation history

---

### **Family and Personal Violence Legislation Amendment Act 2017 A2017-10 s 7**

notified LR 6 April 2017

s 1, s 2 commenced 6 April 2017 (LA s 75 (1))

s 7 commenced 30 April 2017 (s 2 (1))

*Note* This Act only amends the Family Violence Act 2016  
[A2016-42](#).

### **Domestic Violence Agencies Amendment Act 2021 A2021-21**

notified LR 21 September 2021

s 1, s 2 commenced 21 September 2021 (LA s 75 (1))

remainder commenced 22 September 2021 (s 2)

## 4 Amendment history

### Name of Act

s 1 sub [A2001-90](#) amdt 1.41

### Long title

long title am [A2016-42](#) amdt 3.54

### Dictionary

s 2 orig s 2 om [A2001-44](#) amdt 1.1163  
 (prev s 3) am [A1998-68](#) s 4  
 sub [A2001-90](#) amdt 1.42  
 renum R7 LA (see [A2001-90](#) amdt 1.58)  
 am [A2005-13](#) amdt 1.30; [A2008-46](#) amdt 3.18; [A2016-42](#) amdt 3.55  
 def **aggrieved person** ins [A1990-30](#) s 3  
 om [A2001-90](#) amdt 1.42  
 def **approved crisis support organisation** ins [A1992-34](#) s 3  
 om [A2001-90](#) amdt 1.42  
 def **authorised police officer** om [A2001-90](#) amdt 1.42  
 def **child** sub [A1990-30](#) s 3  
 om [A2001-90](#) amdt 1.42  
 def **clerk** om [A1991-44](#) sch 1  
 def **Community Advocate** ins [A1998-37](#) s 4  
 om [A2001-90](#) amdt 1.42  
 def **court** om [A2001-90](#) amdt 1.42  
 def **Crimes Act** om R6 LRA  
 def **de facto spouse** om [A2001-90](#) amdt 1.42  
 def **domestic violence** ins [A1998-37](#) s 4  
 om [A2001-90](#) amdt 1.42  
 def **domestic violence offence** sub [A1990-30](#) s 3; [A1997-24](#) s 4; [A1998-37](#) s 4  
 om [A2001-90](#) amdt 1.42  
 def **drug** am [A1989-14](#) s 3; [A1994-26](#) sch  
 om [A2001-90](#) amdt 1.42  
 def **emergency protection order** ins [A1998-68](#) s 4  
 om [A2001-90](#) amdt 1.42  
 def **extension request** ins [A1997-65](#) s 4  
 om [A2001-90](#) amdt 1.42  
 def **household member** ins [A1990-30](#) s 3  
 om [A1998-37](#) s 4  
 def **interim protection order** om [A2001-90](#) amdt 1.42  
 def **judicial officer** ins [A1998-68](#) s 4  
 om [A2001-90](#) amdt 1.42  
 def **legal practitioner** om [A1997-96](#) sch  
 def **MC (CJ) Act** ins [A1998-37](#) s 4  
 om [A2001-90](#) amdt 1.42

## Endnotes

### 4 Amendment history

---

def **original order** ins [A1997-65](#) s 4  
om [A2001-90](#) amdt 1.42

def **prescribed offence** am [A1990-30](#) s 3  
om [A1997-24](#) s 4

def **protection order** am [A1998-37](#) s 4  
om [A2001-90](#) amdt 1.42

def **registrar** ins [A1991-44](#) sch 1  
om [A2001-90](#) amdt 1.42

def **relative** ins [A1990-30](#) s 3  
am [A1992-37](#) s 4  
om [A2001-90](#) amdt 1.42

def **relevant family contact order** ins [A1996-3](#) s 4  
om [A2001-90](#) amdt 1.42

def **relevant period** ins [A1997-65](#) s 4  
om [A2001-90](#) amdt 1.42

def **relevant person** ins [A1998-37](#) s 4  
om [A2001-90](#) amdt 1.42

def **respondent** am [A1998-68](#) s 4  
om [A2001-90](#) amdt 1.42

def **sitting hours of the Court** ins [A1998-68](#) s 4  
om [A2001-90](#) amdt 1.42

def **spouse** om [A2001-90](#) amdt 1.42

def **vary** ins [A1992-37](#) s 4  
om [A2001-90](#) amdt 1.42

#### Notes

s 3 orig s 3 renum as s 2  
(prev s 4) am [A1990-30](#) s 4; [A1997-65](#) s 5  
sub [A1998-37](#) s 5; [A2001-90](#) amdt 1.42  
renum R7 LA (see [A2001-90](#) amdt 1.58)

#### Domestic Violence Prevention Council

pt 2 hdg orig pt 2 hdg om [A2001-90](#) amdt 1.43  
(prev pt 3 hdg) om [A1992-9](#) sch  
ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)

#### Emergency protection orders

pt 2A hdg ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

#### Establishment of council

s 4 orig s 4 renum as s 3  
(prev s 21) om [A1992-9](#) sch  
ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
sub [A2007-39](#) amdt 3.24

**Nature of domestic violence**

s 4A ins [A1998-37](#) s 5  
am [A1999-79](#) sch 3  
om [A2001-90](#) amdt 1.43

**Objective and functions**

s 5 orig s 5 am [A1990-30](#) s 5  
sub [A1998-37](#) s 5  
am [A1999-64](#) sch 2  
om [A2001-90](#) amdt 1.43  
(prev s 22) om [A1992-9](#) sch  
ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
am [A2007-39](#) amdt 3.25; [A2016-42](#) amdt 3.56

**Membership of council**

s 6 orig s 6 am [A1991-44](#) sch 1  
sub [A1998-37](#) s 5  
om [A2001-90](#) amdt 1.43  
(prev s 23) om [A1992-9](#) sch  
ins [A1997-37](#) s 4  
am [A2001-90](#) amdts 1.45-1.47  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
sub [A2007-22](#) amdt 1.28  
am [A2016-42](#) amdt 3.56

**Chairperson of council**

s 6A ins [A2007-22](#) amdt 1.28

**Appointed members' term**

s 7 orig s 7 am [A1990-30](#) sch; [A1991-44](#); [A1998-37](#) s 6; [A1999-64](#)  
sch 2  
om [A2001-90](#) amdt 1.43  
(prev s 24) am [Ord1989-38](#) sch 1  
om [A1992-9](#) sch  
ins [A1997-37](#) s 4  
sub [A2001-90](#) amdt 1.48  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
sub [A2007-22](#) amdt 1.28

**Representation of children**

s 7A ins [A1990-30](#) s 6  
am [A1998-37](#) s 7  
om [A2001-90](#) amdt 1.43

## Endnotes

### 4 Amendment history

---

#### **Ending of appointed member appointments**

s 8 orig s 8 am [A1995-46](#) sch; [A1998-37](#) sch  
om [A2001-90](#) amdt 1.43  
(prev s 25A) ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
sub [A2007-22](#) amdt 1.28  
am [A2010-30](#) amdt 1.25

#### **Court to be informed of relevant contact orders**

s 8A ins [A1996-3](#) s 5  
am [A1998-37](#) s 8  
om [A2001-90](#) amdt 1.43

#### **Evidence**

s 8B ins [A1998-37](#) s 9  
om [A2001-90](#) amdt 1.43

#### **Meetings of Council**

s 9 orig s 9 am [A1990-30](#) sch; [A1998-37](#) s 10  
om [A2001-90](#) amdt 1.43  
(prev s 26) am [A1990-30](#) sch  
om [A1992-9](#) sch  
ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)

#### **Procedure at meetings**

s 10 orig s 10 am [A1990-30](#) sch; [A1996-3](#) s 6; [A1997-65](#) s 6;  
[A1998-37](#) s 11  
om [A2001-90](#) amdt 1.43  
(prev s 26A) ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)

#### **Office of Domestic Violence Project Coordinator**

pt 3 hdg orig pt 3 hdg renum as pt 2 hdg  
(prev pt 3A hdg) ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)

#### **Consent orders**

s 10A ins [A1990-30](#) s 8  
am [A1998-37](#) s 12  
om [A2001-90](#) amdt 1.43

#### **Domestic violence project coordinator**

s 11 orig s 11 am [A1990-30](#) s 9  
sub [A1998-37](#) s 13  
om [A2001-90](#) amdt 1.43  
(prev s 26C) ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
sub [A2007-39](#) amdt 3.26; [A2016-1](#) amdt 1.1



**Functions**

s 12 orig s 12 am [A1990-30](#) sch; [A1991-44](#) sch 1; [A1998-37](#) s 14;  
[A2001-44](#) amdt 1.1164  
om [A2001-90](#) amdt 1.43  
(prev s 26D) ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
am [A2007-39](#) amdt 3.27; [A2016-42](#) amdt 3.57

**Term and conditions of office**

s 13 orig s 13 am [A1998-37](#) s 15  
om [A2001-90](#) amdt 1.43  
(prev s 26F) ins [A1997-37](#) s 4  
am [A2001-90](#) amdt 1.51, amdt 1.52  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
sub [A2007-39](#) amdt 3.28

**Termination of appointment**

s 14 orig s 14 am [A1990-30](#) sch; [A1996-3](#) s 7; [A1998-37](#) s 16  
om [A2001-90](#) amdt 1.43  
(prev s 26H) ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
am [A2007-39](#) amdt 3.29

**Protection orders, interim protection orders—firearms**

s 14A ins [A1990-36](#) s 3  
am [A1990-65](#) s 8; [A1991-9](#) sch; [A1996-74](#) sch 3; [A1997-24](#) s  
5  
om [A2001-90](#) amdt 1.43

**Acting coordinator**

s 15 orig s 15 am [A1990-30](#) s 10; [A1992-37](#) s 5; [A1998-37](#) s 17,  
sch  
om [A2001-90](#) amdt 1.43  
(prev s 26I) ins [A1997-37](#) s 4  
sub [A2001-90](#) amdt 1.54  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
om [A2007-39](#) amdt 3.30

**Protection of coordinators etc from liability**

s 16 (prev s 26J) ins [A1997-37](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
sub [A2007-39](#) amdt 3.31

**Domestic and family violence incident review**

pt 3A hdg ins [A2021-21](#) s 4

**Preliminary**

div 3A.1 hdg ins [A2021-21](#) s 4

**Purpose—pt 3A**

s 16A ins [A2021-21](#) s 4

## Endnotes

4 Amendment history

---

### Definitions—pt 3A

s16B ins [A2021-21](#) s 4  
def **advisory committee** ins [A2021-21](#) s 4  
def **DFVR coordinator** ins [A2021-21](#) s 4  
def **independent adviser** ins [A2021-21](#) s 4  
def **register** ins [A2021-21](#) s 4  
def **serious harm** ins [A2021-21](#) s 4

### Meaning of *domestic or family violence incident*—pt 3A

s 16C ins [A2021-21](#) s 4

### Domestic and family violence review coordinator

div 3A.2 hdg ins [A2021-21](#) s 4

### DFVR coordinator—appointment

s 16D ins [A2021-21](#) s 4

### DFVR coordinator—functions

s 16E ins [A2021-21](#) s 4

### DFVR coordinator—independence

s 16F ins [A2021-21](#) s 4

### Delegation by DFVR coordinator

s 16G ins [A2021-21](#) s 4

### Advisory committees and independent advisers

div 3A.3 hdg ins [A2021-21](#) s 4

### Advisory committees

s 16H ins [A2021-21](#) s 4

### Independent advisers

s 16I ins [A2021-21](#) s 4

### Conflict of interest

s 16J ins [A2021-21](#) s 4

### Register of domestic and family violence incidents

div 3A.4 hdg ins [A2021-21](#) s 4

### Register of domestic and family violence incidents

s 16K ins [A2021-21](#) s 4

### Register of domestic and family violence incidents—content

s 16L ins [A2021-21](#) s 4

### Register of domestic and family violence incidents—access

s 16M ins [A2021-21](#) s 4

### Information kept on register—admissibility of evidence

s 16N ins [A2021-21](#) s 4

**Information gathering and sharing**div 3A.5 hdg ins [A2021-21](#) s 4**Power to ask for information—relevant entities**s 16O ins [A2021-21](#) s 4**Power to require information, document or other thing**s 16P ins [A2021-21](#) s 4**Sharing information—corresponding interstate entities**s 16Q ins [A2021-21](#) s 4**Sharing information with Coroner's Court**s 16R ins [A2021-21](#) s 4**Providing information etc—other circumstances**s 16S ins [A2021-21](#) s 4**Information sharing guidelines**s 16T ins [A2021-21](#) s 4**Use and disclosure of protected information**s 16U ins [A2021-21](#) s 4**Reports about domestic and family violence incidents**div 3A.6 hdg ins [A2021-21](#) s 4**Biennial report**s 16V ins [A2021-21](#) s 4**Other reports**s 16W ins [A2021-21](#) s 4**Miscellaneous**div 3A.7 hdg ins [A2021-21](#) s 4**Protection of DFVR coordinator etc from liability**s 16X ins [A2021-21](#) s 4**Review of part**s 16Y ins [A2021-21](#) s 4  
exp 21 September 2025 (s 16Y (3))**Approval of crisis support organisations**s 17 orig s 17 am [A1997-65](#) s 7; [A1998-37](#) s 18  
om [A2001-90](#) amdt 1.43  
(prev s 33) ins [A1992-34](#) s 4  
am [A2001-44](#) amdt 1.1172, amdt 1.1173  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
am [A2007-39](#) amdt 3.32

## Endnotes

### 4 Amendment history

---

#### **Application for extension of order**

s 17A ins [A1997-65](#) s 8  
am [A2001-44](#) amdt 1.1165, amdt 1.1166  
om [A2001-90](#) amdt 1.43

#### **Court action on extension request**

s 17B ins [A1997-65](#) s 8  
am [A2001-44](#) amdt 1.1167  
om [A2001-90](#) amdt 1.43

#### **Application for cancellation of extended order**

s 17C ins [A1997-65](#) s 8  
om [A2001-90](#) amdt 1.43

#### **Disclosure of information to an approved crisis support organisation**

s 18 orig s 18 am [A1991-44](#) sch 1; [A1996-3](#) s 8  
om [A1998-37](#) s 19  
(prev s 34) ins [A1992-34](#) s 4  
renum R7 LA (see [A2001-90](#) amdt 1.58)  
am [A2016-42](#) amdt 3.57

#### **Service etc of order**

s 19 am [A1990-36](#) s 4; [A1991-9](#) sch; [A1991-44](#) sch 1; [A1996-74](#)  
sch 3; [A2001-44](#) amdts 1.1168-1.1170  
om [A2001-90](#) amdt 1.43

#### **Practice directions**

s 19A ins [A1998-37](#) s 20  
om [A2001-90](#) amdt 1.43

#### **Limitation on powers of Registrar**

s 19B ins [A1998-37](#) s 20  
om [A2001-90](#) amdt 1.43

#### **Application not invalid only because made under wrong Act**

s 19C ins [A1998-37](#) s 20  
om [A2001-90](#) amdt 1.43

#### **Offence**

s 19D ins [A1998-37](#) s 20  
am [A1998-68](#) s 5  
om [A2001-90](#) amdt 1.43

#### **Recovery of certain expenses**

s 19E ins [A1998-37](#) s 20  
om [A2001-90](#) amdt 1.43

#### **Emergency protection orders**

s 19F ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

**Recording of reasons when no emergency protection order is applied for**

s 19G ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

**Duration of emergency protection orders**

s 19H ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

**Procedure for obtaining an emergency protection order**

s 19I ins [A1998-68](#) s 6  
am [A2001-44](#) amdt 1.1171  
om [A2001-90](#) amdt 1.43

**Detention of person against whom an order is sought**

s 19J ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

**Serving an emergency protection order**

s 19K ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

**Revoking or varying an emergency protection order**

s 19L ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

**Effect of orders on licences for firearms**

s 19M ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

**Authorisation of judicial officers**

s 19N ins [A1998-68](#) s 6  
om [A2001-90](#) amdt 1.43

**Interpretation**

s 20 sub [A1990-30](#) s 11  
om [A1992-9](#) sch  
ins [A1997-37](#) s 4  
om [A2001-90](#) amdt 1.44

**Establishment**

s 21 renum as s 4

**Objective and functions**

s 22 renum as s 5

**Membership**

s 23 renum as s 6

**Terms of appointment**

s 24 renum as s 7

## Endnotes

### 4 Amendment history

---

#### **Resignation**

s 25 om [A1992-9](#) sch  
ins [A1997-37](#) s 4  
om [A2001-90](#) amdt 1.48

#### **Termination of appointment**

s 25A renum as s 8

#### **Meetings of Council**

s 26 renum as s 9

#### **Procedure at meetings**

s 26A renum as s 10

#### **Office of Domestic Violence Project Coordinator**

pt 3A hdg renum as pt 3 hdg

#### **Interpretation**

s 26B ins [A1997-37](#) s 4  
om [A2001-90](#) amdt 1.49

#### **Appointment**

s 26C renum as s 11

#### **Functions**

s 26D renum as s 12

#### **Powers**

s 26E ins [A1997-37](#) s 4  
om [A2001-90](#) amdt 1.50

#### **Terms of office**

s 26F renum as s 13

#### **Resignation**

s 26G ins [A1997-37](#) s 4  
om [A2001-90](#) amdt 1.53

#### **Termination of appointment**

s 26H renum as s 14

#### **Acting coordinator**

s 26I renum as s 15

#### **Legal immunity**

s 26J renum as s 16

#### **Offence**

s 27 am [A1992-37](#) s 6; [A1994-81](#) sch; [A1996-37](#) s 4  
om [A1998-37](#) s 21

#### **Service other than personal service**

s 28 om [A2001-90](#) amdt 1.55

**Service of documents by police**

s 29 am [A1991-44](#) sch 1  
om [A2001-90](#) amdt 1.55

**Restriction on publication of reports of proceedings**

s 30 am [Ord1989-38](#) sch 1; [A1994-81](#) sch; [A1998-37](#) s 22  
om [A2001-90](#) amdt 1.55

**Limits of restriction on publication**

s 30A ins [A1990-30](#) s 12  
sub [A1996-3](#) s 9; [A1998-37](#) s 23  
om [A2001-90](#) amdt 1.55

**Appeals**

s 31 am [A1995-46](#) sch; [A1998-37](#) sch  
om [A2001-90](#) amdt 1.55

**Application of Crimes Act 1900 etc**

s 32 om [A2001-90](#) amdt 1.55

**Approval of crisis support organisations**

s 33 renum as s 17

**Disclosure of information to an approved crisis support organisation**

s 34 renum as s 18

**Approved forms**

s 35 ins [A2001-44](#) amdt 1.1174  
om [A2001-90](#) amdt 1.56

**Dictionary**

dict ins [A2001-90](#) amdt 1.57  
am [A2007-39](#) amdt 3.33; [A2010-30](#) amdt 1.26; [A2021-21](#) s 5  
def **advisory committee** ins [A2021-21](#) s 6  
def **appointed member** ins [A2001-90](#) amdt 1.57  
sub [A2007-22](#) amdt 1.29  
def **approved crisis support organisation** ins [A2001-90](#)  
amdt 1.57  
def **child** ins [A2001-90](#) amdt 1.57  
def **coordinator** ins [A2001-90](#) amdt 1.57  
sub [A2016-1](#) amdt 1.2  
def **council** ins [A2001-90](#) amdt 1.57  
def **DFVR coordinator** ins [A2021-21](#) s 6  
def **domestic or family violence incident** ins [A2021-21](#) s 6  
def **domestic violence** ins [A2001-90](#) amdt 1.57  
sub [A2005-13](#) amdt 1.31  
am [A2008-46](#) amdt 3.19  
om [A2016-42](#) amdt 3.58

## Endnotes

### 4 Amendment history

---

def **domestic violence offence** ins [A2001-90](#) amdt 1.57  
sub [A2005-13](#) amdt 1.32  
am [A2008-46](#) amdt 3.20  
om [A2016-42](#) amdt 3.58  
def **family violence** ins [A2016-42](#) amdt 3.59  
def **family violence offence** ins [A2016-42](#) amdt 3.59  
def **independent adviser** ins [A2021-21](#) s 6  
def **member** ins [A2001-90](#) amdt 1.57  
sub [A2007-22](#) amdt 1.30  
def **register** ins [A2021-21](#) s 6  
def **serious harm** ins [A2021-21](#) s 6

#### **Domestic violence offences under the Crimes Act 1900**

sch 1A ins [A1997-24](#) s 6  
am [A1998-37](#) s 24  
om [A2001-90](#) amdt 1.57

#### **Drugs**

sch 1 om [A2001-90](#) amdt 1.57

#### **Forms**

sch 2 am [A1991-44](#) sch; [A1992-37](#) s 7; [A1998-37](#) s 25  
om [A2001-44](#) amdt 1.1175



## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 3 Oct 1991	3 Oct 1991– 7 July 1992	<a href="#">A1991-44</a>	initial republication since self-government
R1 (RI) 6 Feb 2008	3 Oct 1991– 7 July 1992	<a href="#">A1991-44</a>	reissue of printed version
R2 31 Aug 1992	3 Aug 1992– 27 Nov 1992	<a href="#">A1992-37</a>	amendments by <a href="#">A1992-34</a> and <a href="#">A1992-37</a>
R2 (RI) 6 Feb 2008	3 Aug 1992– 27 Nov 1992	<a href="#">A1992-37</a>	reissue of printed version
R2A 6 Feb 2008	28 Nov 1992– 30 May 1994	<a href="#">A1992-37</a>	amendments by <a href="#">A1992-9</a>
R2B 6 Feb 2008	31 May 1994– 28 Nov 1994	<a href="#">A1994-26</a>	amendments by <a href="#">A1994-26</a>
R3 31 Jan 1995	29 Nov 1994– 17 Dec 1995	<a href="#">A1994-81</a>	amendments by <a href="#">A1994-81</a>
R3 (RI) 6 Feb 2008	29 Nov 1994– 17 Dec 1995	<a href="#">A1994-81</a>	reissue of printed version
R3A 6 Feb 2008	18 Dec 1995– 10 June 1996	<a href="#">A1995-46</a>	amendments by <a href="#">A1995-46</a>
R4 30 Nov 1996	10 July 1996– 16 May 1997	<a href="#">A1996-37</a>	amendments by <a href="#">A1996-3</a> and <a href="#">A1996-37</a>
R4 (RI) 6 Feb 2008	10 July 1996– 16 May 1997	<a href="#">A1996-37</a>	reissue of printed version

## Endnotes

### 5 Earlier republications

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R4A 6 Feb 2008	17 May 1997– 29 May 1997	<a href="#">A1996-74</a>	amendments by <a href="#">A1996-74</a>
R4B 6 Feb 2008	30 May 1997– 16 Oct 1997	<a href="#">A1997-24</a>	amendments by <a href="#">A1997-24</a>
R4C 6 Feb 2008	17 Oct 1997– 31 Oct 1997	<a href="#">A1997-65</a>	amendments by <a href="#">A1997-37</a>
R4D 6 Feb 2008	1 Nov 1997– 31 May 1998	<a href="#">A1997-65</a>	amendments by <a href="#">A1997-65</a>
R5 1 June 1998	1 June 1998– 18 Oct 1998	<a href="#">A1997-96</a>	amendments by <a href="#">A1997-96</a>
R5 (RI) 6 Feb 2008	1 June 1998– 18 Oct 1998	<a href="#">A1997-96</a>	reissue of printed version
R6 31 Jan 1999	23 Dec 1998– 29 Feb 2000	<a href="#">A1998-68</a>	amendments by <a href="#">A1998-37</a> and <a href="#">A1998-68</a>
R6 (RI) 6 Feb 2008	23 Dec 1998– 29 Feb 2000	<a href="#">A1998-68</a>	reissue of printed version
R6A 6 Feb 2008	10 May 2000– 11 Sept 2001	<a href="#">A1999-79</a>	amendments by <a href="#">A1999-64</a> and <a href="#">A1999-79</a>
R6B 6 Feb 2008	12 Sept 2001– 26 Mar 2002	<a href="#">A2001-44</a>	amendments by <a href="#">A2001-44</a>
R7 27 Mar 2002	27 Mar 2002– 24 Mar 2005	<a href="#">A2001-90</a>	renaming and other amendments by <a href="#">A2001-90</a>
R8 25 Mar 2005	25 Mar 2005– 5 Sept 2007	<a href="#">A2005-13</a>	amendments by <a href="#">A2005-13</a>
R9 6 Sept 2007	6 Sept 2007– 26 Dec 2007	<a href="#">A2007-22</a>	amendments by <a href="#">A2007-22</a>
R10 27 Dec 2007	27 Dec 2007– 29 Mar 2009	<a href="#">A2007-39</a>	amendments by <a href="#">A2007-39</a>
R11 30 Mar 2009	30 Mar 2009– 27 Sept 2010	<a href="#">A2008-46</a>	amendments by <a href="#">A2008-46</a>

Republication No and date	Effective	Last amendment made by	Republication for
R12 28 Sept 2010	28 Sept 2010– 31 Mar 2016	<a href="#">A2010-30</a>	amendments by <a href="#">A2010-30</a>
R13 1 Apr 2016	1 Apr 2016– 30 Apr 2017	<a href="#">A2016-1</a>	amendments by <a href="#">A2016-1</a>
R14 1 May 2017	1 May 2017– 21 Sept 2021	<a href="#">A2017-10</a>	amendments by <a href="#">A2016-42</a> (as amended by <a href="#">A2017-10</a> )

## 6 Renumbered provisions

This Act was renumbered under the *Legislation Act 2001*, in R7 (see *Protection Orders (Consequential Amendments) Act 2001* A2001-90 amdt 1.58). Details of renumbered provisions are shown in endnote 4 (Amendment history). For a table showing the renumbered provisions, see R7.