

Australian Capital Territory

# Family Violence Regulation 2017

Subordinate law SL2017–32

made under the

Family Violence Act 2016, s 155

## EXPLANATORY STATEMENT

---

### Overview of the regulation

The Family Violence Regulation 2017 (the Regulation) prescribes ‘interstate FVOs’ (Family Violence Orders) and ‘registered foreign orders’ (as defined in section 115 of the *Family Violence Act 2016* (the Act)), for the purpose of the Act.

The Act, except for part 9, commenced on 1 May 2017.

The Regulation prescribes which orders are eligible to be recognised in the ACT under part 9. The Regulation will effectively recognise orders in other Australian States and the Northern Territory, including foreign (international) family violence orders that could be registered in those jurisdictions.

Part 9 of the Act contains provisions that relate to the National Domestic Violence Order scheme (the NDVO scheme). The NDVO Scheme will provide that all family violence orders (FVOs) made in Australia are automatically nationally recognised regardless of the jurisdiction they are made in. A person protected by a FVO will no longer need to register their FVO when they move or visit interstate. Previously FVOs could only be enforced in the state or territory in which they were issued or registered.

The Regulation will commence on 25 November 2017 to align with the single national NDVO Scheme commencement date of 25 November 2017.

## **CLAUSE NOTES**

### **Clause 1 Name of regulation**

This clause provides that the name of the regulation is the *Family Violence Regulation 2017*.

### **Clause 2 Commencement**

This clause provides that the Regulation commences on 25 November 2017.

### **Clause 3 Notes**

This clause provides that a note included in the regulation is explanatory and not part of the regulation.

### **Clause 4 Prescribed jurisdictions- Act, s 115, definition of *corresponding law***

This clause provides that for the purpose of section 115 of the Act all states (including the Northern Territory) are prescribed as having ‘corresponding laws’ if they substantially correspond with the provisions in part 9.

### **Clause 5 Interstate FVOs – Act, s 115 definition of interstate FVO, par (a)**

This clause prescribes, for the purpose of section 115 of the Act, orders made in other jurisdictions that are recognised as interstate FVOs.

### **Clause 6 Prescribed jurisdictions- Act, s 115, definition of *registered foreign order*, par (a)**

This clause prescribes, for the purpose of section 115 of the Act, orders made in other jurisdictions that are recognised as registered foreign orders.