Western Australia

Restraining Orders Act 1997

Restraining Orders Regulations 1997

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Western Australia

Restraining Orders Regulations 1997

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Restraining Orders Regulations 1997

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Restraining Orders Regulations 1997*.

2. Commencement

These regulations come into operation on the day on which the *Restraining Orders Act 1997* comes into operation.

2A. Terms used

In these regulations —

Chief Dangerous Goods Officer means the person designated as the Chief Dangerous Goods Officer under the *Dangerous Goods Safety Act 2004* section 25(2);

form followed by a designation means the form of that designation in Schedule 1;

proceedings under the Act means —

(a) the hearing of an application; or

(b) proceedings for an offence against the Act;

restrained person, in relation to a restraining order, means the person who is bound by the order.

[Regulation 2A inserted: Gazette 26 Nov 2004 p. 5259-60; amended: Gazette 7 Feb 2017 p. 1164; SL 2020/258 r. 4.]

3. Forms (Sch. 1)

(1) The forms set out in Schedule 1 are prescribed in relation to the matters specified in those forms.

(2) Where a form is in parts, then only those parts of the form that are relevant, taking into account the part heading, need be used for a particular copy of the form, or for a particular purpose.

(3) It is sufficient compliance with the Act if a form substantially in compliance with the form in Schedule 1 is used.

[Regulation 3 amended: Gazette 26 Nov 2004 p. 5260; 7 Feb 2017 p. 1164 .]

Part 2 — Firearm items and other weapons

[Heading amended: Gazette 26 Nov 2004 p. 5260; SL 2022/189 r. 8.]

4. Giving up possession of firearm items

(1) This regulation applies when a restraining order which requires the person bound by the order to give up possession of a firearm item or a firearms authorisation is served on a restrained person who is in possession of a firearm item or a firearms authorisation.

(2) If the order is personally or orally served on the restrained person by a police officer and at the time the order is served the restrained person is physically in possession of the firearm item or firearms authorisation the restrained person must immediately give the firearm item or firearms authorisation to the police officer.

(3) Subject to subregulation (5), if the order is personally or orally served on the restrained person by a police officer and at the time the order is served the firearm item or firearms authorisation is at a place to which the police officer can reasonably accompany the person, the restrained person must —

(a) immediately go with the police officer to that place; and

(b) once there, immediately give the firearm item or firearms authorisation to the police officer.

(4) Subject to subregulation (5), in any other case the restrained person must give the firearm item or firearms authorisation to the police officer in charge of the police station nearest to where the firearm item or firearms authorisation is located as soon as is reasonably practicable and in any event within 24 hours of the order being served.

(5) If a firearm item in respect of which a restrained person holds a firearms authorisation is in the actual physical possession of a co-licensee of that firearm item, the restrained person —

(a) must comply with subregulation (3) or (4), as the case requires, in respect of the firearms authorisation; but

(b) need not comply with subregulation (3) or (4), as the case requires, in respect of that firearm item.

[Regulation 4 amended: SL 2022/189 r. 9.]

5. Dealing with firearm items surrendered (Act s. 14) or seized (Act s. 62E)

(1) A firearm item or firearms authorisation given to a police officer under section 14 of the Act, or seized under section 62E of the Act, is to be held in safe custody by the Commissioner of Police until —

(a) the restraining order ceases to be in force; or

(b) it is reclaimed by a co-licensee; or

(c) it may otherwise lawfully be disposed of.

(2) Subregulation (1) —

(a) is subject to the exercise by the Commissioner of functions under the *Firearms Act 2024* Part 4 Division 8 or 9, Part 8 or any other provision of that Act; and

(b) does not require the Commissioner to return a firearm item or firearms authorisation to the restrained person or a co-licensee of the firearm item if the Commissioner is not satisfied the person is entitled to its lawful possession under the *Firearms Act 2024*.

(3) Subregulation (4) applies to a firearm item held by the Commissioner under subregulation (1) if —

(a) after the restraining order ceases to be in force, the Commissioner is satisfied that neither the restrained person nor any co-licensee of the firearm item is entitled

to lawful possession of the firearm item under the *Firearms Act 2024*; or

(b) if paragraph (a) does not apply — the firearm item has not been reclaimed by a person entitled to its lawful possession within 1 month after the restraining order ceases to be in force.

(4) The Commissioner may deal with the firearm item under the *Firearms Act 2024* section 368(3) and (4) as if a person entitled to its lawful possession cannot be identified or cannot be found.

[(5) deleted]

[Regulation 5 amended: Gazette 26 Nov 2004 p. 5260; SL 2022/189 r. 9; SL 2024/300 r. 7.]

5A. Dealing with firearm items seized (Act s. 62B(2)(c) and (4))

The *Criminal and Found Property Disposal Act 2006* applies to a firearm item seized under section 62B(2)(c) of the Act as if the firearm item were seized in the course of a criminal investigation by the Police Force of Western Australia, and the firearm item is to be dealt with by the Commissioner of Police accordingly.

[Regulation 5A inserted: SL 2024/300 r. 8.]

5B. Dealing with other weapons seized (Act s. 62B(2)(c))

A weapon, other than a firearm item, seized under section 62B(2)(c) of the Act is to be dealt with under sections 15, 16, 17 and 18 of the *Weapons Act 1999* in the same manner as a weapon seized under that Act.

[Regulation 5B inserted: Gazette 26 Nov 2004 p. 5261; amended: SL 2022/189 r. 9.]

Part 2A — Explosives

[Heading inserted: SL 2020/258 r. 5.]

5C. Terms used

In this Part —

explosives order means a restraining order that requires the person bound by the order to give up possession of any explosives or explosives licence.

[Regulation 5C inserted: SL 2020/258 r. 5.]

5D. Giving up possession of explosives

(1) This regulation applies when an explosives order is served on a restrained person who is in possession of an explosive or explosives licence.

(2) The restrained person must give the explosive or explosives licence to the Chief Dangerous Goods Officer —

(a) as soon as is reasonably practicable after the explosives order is served; and

(b) in any event, within 36 hours, or any longer period specified in the explosives order, after the explosives order is served.

[Regulation 5D inserted: SL 2020/258 r. 5.]

5E. Dealing with explosives surrendered (Act s. 14A) or seized (Act s. 62E)

(1) An explosive or explosives licence given to the Chief Dangerous Goods Officer under section 14A of the Act, or seized under section 62E(1AA) of the Act, is to be held in safe custody by the Chief Dangerous Goods Officer until —

(a) the requirement to give up possession of the explosive or explosives licence is removed from the explosives order; or

(b) the explosives order ceases to be in force; or

(c) the explosive or explosives licence may otherwise lawfully be disposed of.

(2) Before returning an explosive or explosives licence, the Chief Dangerous Goods Officer must have regard to the matters referred to in the *Dangerous Goods Safety (Explosives) Regulations 2007* regulation 164 as if the restrained person were an applicant for an explosives licence.

(3) If an explosives licence which is being held by the Chief Dangerous Goods Officer has not been reclaimed within 1 month after an event referred to in subregulation (1)(a) or (b), the Chief Dangerous Goods Officer may regard the restrained person as having surrendered the explosives licence under the *Dangerous Goods Safety (Explosives) Regulations 2007* regulation 170.

[Regulation 5E inserted: SL 2020/258 r. 5.]

Part 3 — Practice and procedure

*[**6**. Deleted: Gazette 7 Feb 2017 p. 1164.]*

6A. Application to correct minor error in restraining orders (Act s. 49A)

[(1) deleted]

(2) Subject to subregulation (3), an application under section 49A of the Act is to be heard in the absence of the other party to the order.

(3) If the court hearing an application so orders, the hearing is to be adjourned and notice of the application is to be given to the other party to the order.

(4) Where an order is made under subregulation (3), the registrar is to ensure that the other party to the restraining order is given notice of the application, and is to fix a hearing and summons both parties to the hearing.

(5) A copy of a restraining order corrected under section 49A of the Act is to be —

(a) served on the person who is bound by the restraining order; and

(b) delivered to —

(i) the person protected by the order; or

(ii) the parent or guardian of that person, if the parent or guardian made the application for the restraining order on behalf of that person;

and

(c) delivered to the Commissioner of Police; and

(d) placed on the court's records.

(6) The correction of a restraining order under section 49A of the Act does not affect the time when the restraining order came into force or the duration of the restraining order.

[Regulation 6A inserted: Gazette 26 Nov 2004 p. 5261-2; amended: Gazette 31 Jul 2007 p. 3802; 7 Feb 2017 p. 1164; SL 2022/146 r. 4.]

6B. Order that child be allowed to give oral evidence (Act s. 53A)

(1) A party to a restraining order, or a person charged with an offence against the Act, may apply to the court for an order that a child be allowed to give oral evidence at any proceedings under the Act specified in the application.

(2) An application referred to in subregulation (1) is to be made at least 14 days before the proceedings.

[(3) deleted]

(4) If an application referred to in subregulation (1) is made, the registrar is to give notice of the application to all other parties to the proceedings.

[Regulation 6B inserted: Gazette 26 Nov 2004 p. 5262-3; amended: Gazette 31 Jul 2007 p. 3802; 7 Feb 2017 p. 1164.]

6C. Attendance at hearings

(1) For the avoidance of doubt, a person is not to be taken to have failed to attend a hearing if the person is represented at the hearing by —

(a) a legal practitioner; or

(b) a police officer, who made the application on behalf of the person, or who is conducting proceedings on the person's behalf under section 62G of the Act.

(2) Subregulation (1) does not apply if the person has failed to attend a hearing —

(a) after being summonsed; or

(b) where, in the opinion of the court, the hearing cannot take place without the physical presence of the person.

[Regulation 6C inserted: Gazette 26 Nov 2004 p. 5263.]

6D. Certificate to effect that person who is bound by restraining order was present in court when order was made (Act s. 55(3a))

Where a person bound by a restraining order is present in court when the order is made, the registrar of the court must, in accordance with any applicable rules of court, certify that this was done.

[Regulation 6D inserted: Gazette 26 Nov 2004 p. 5264; amended: Gazette 31 Jul 2007 p. 3802; 7 Feb 2017 p. 1165.]

7. Telephone applications, adjournment of

(1) If the hearing of a telephone application is adjourned the registrar of the court where the magistrate hearing the telephone application is based is to ensure that the adjourned hearing is listed —

(a) if the respondent is a child, in the Children's Court; or

(b) otherwise, in the Magistrates Court [1],

nearest to the applicant's usual place of residence.

(2) If the court in which the adjourned hearing is to be listed under subregulation (1) is not the court where the magistrate hearing the telephone application is based, the magistrate is to transfer the matter to the court in which the adjourned hearing is to be listed under subregulation (1).

[Regulation 7 amended: Gazette 31 Jul 2007 p. 3800.]

8. Procedure when restraining order made during bail hearing (Act s. 63)

(1) This regulation applies when a judicial officer sitting other than as a court makes a restraining order under section 63 of the Act in the course of considering a case for bail.

(2) The judicial officer is to —

(a) make a written record of the proceedings; and

(b) cause the record to be forwarded to the court in which the restrained person is bailed to appear.

(3) The judicial officer may cause the record to be forwarded to the court personally, by ordinary prepaid post or by fax.

(4) If the record is forwarded by fax the judicial officer must —

(a) as soon as practicable, and in any event not later than the end of the next business day, confirm with the court that the record has been received; and

(b) as soon as practicable forward the original record to the court by ordinary prepaid post.

(5) For the purposes of section 10(1) of the Act a reference to the court is to be read as a reference to the court in which the restrained person is bailed to appear.

[Regulation 8 amended: Gazette 7 Feb 2017 p. 1165.]

9. Procedure when restraining order made during other proceedings (Act s. 63)

(1) This regulation applies to —

(a) the Magistrates Court [1]; and

(b) the Children's Court when constituted so as not to include a judge of that court; and

(c) any other court when constituted so as not to include a judge of that court.

(2) When a court to which this regulation applies makes a restraining order under section 63 of the Act the court is to make a written record of the proceedings and cause the record to be placed on the court records.

[Regulation 9 amended: Gazette 7 Feb 2017 p. 1165.]

9A. Procedure for applying for oral or substituted service (Act s. 55(2) and 60(1))

(1) An application —

(a) to a registrar for an order authorising oral service of a restraining order under section 55(2) of the Act; or

(b) to the court for an order authorising substituted service of a restraining order under section 60(1) of the Act,

is to be made in accordance with this regulation.

(2) The application is to be made by a police officer.

(3) The application is to specify the previous attempts to serve the restraining order, including any incidents of deliberate avoidance.

(4) When a police officer effects oral service in accordance with an order under section 55(2) or 60(1) of the Act, the police officer is to notify the court of that service in accordance with any applicable rules of court.

(5) After the court has received that notification, the court is to post a copy of the order to the last known residential address of the person against whom the restraining order was sought.

[Regulation 9A inserted: Gazette 31 Jul 2007 p. 3800-1; amended: Gazette 7 Feb 2017 p. 1165.]

9B. Procedure for effecting substituted service of FVRO without court order (Act s. 60(1A)(b) and (2)(b))

(1) In this regulation —

senior officer means a police officer who is, or is acting as, a sergeant or an officer above the rank of sergeant.

(2) For the purposes of section 60(1A)(b) of the Act, the following steps are prescribed for a person attempting to serve an FVRO who has failed to achieve personal service (the ***latest attempt***) —

(a) the person must ensure that at least 1 unsuccessful attempt, in addition to the latest attempt, has been made to achieve personal service of the FVRO;

(b) the person must obtain a senior officer's approval of service of the FVRO by substituted service.

(3) Subregulation (2)(a) does not apply if a state of emergency declaration is in force under the *Emergency Management Act 2005* section 56.

(4) A senior officer who approves substituted service of an FVRO under subregulation (2)(b) must keep a record of —

(a) any unsuccessful attempts to serve the FVRO; and

(b) the senior officer's approval of service of the FVRO by substituted service.

(5) For the purposes of section 60(2)(b) of the Act, an FVRO is served by substituted service if the person serving it effects oral service in accordance with section 55(5) to (7) of the Act.

[Regulation 9B inserted: SL 2020/63 r. 4; amended: SL 2026/123 r. 4.]

10. Service of documents

(1A) In this regulation —

custodial officer has the meaning given in the *Young Offenders Act 1994* section 3;

prison officer has the meaning given in the *Prisons Act 1981* section 3(1).

(1) Personal or oral service of a restraining order is to be effected by the registrar, a custodial officer, a police officer, a prison officer or a person authorised by the registrar.

(2) If a document is given to a custodial officer, police officer, prison officer or other authorised person for service and the registrar has given a direction as to the manner of service, the officer or other person must take all reasonable steps to serve the document in that manner.

[Regulation 10 amended: Gazette 8 Jan 2002 p. 33; 31 Jul 2007 p. 3802; SL 2022/146 r. 5; SL 2025/29 r. 4.]

*[**10A.** Deleted: SL 2020/258 r. 6.]*

Part 4 — Interstate restraining orders

*[**11.** Deleted: Gazette 26 Nov 2004 p. 5264.]*

12. Application for registration of interstate order

An application for registration of an interstate order is to be accompanied by —

(a) the original interstate order or a copy certified to be a true copy by an officer of the court in which it was made; and

(b) such evidence of effective service of the interstate order on the person bound by it as the registrar considers appropriate.

[Regulation 12 amended: Gazette 31 Jul 2007 p. 3802; 7 Feb 2017 p. 1165.]

Part 5 — General

[Heading inserted: Gazette 26 Nov 2004 p. 5264.]

13. Property that may be recovered when FVRO or VRO made (Act s. 10G(5) or 13(5))

For the purposes of sections 10G(5) and 13(5)of the Act, property that may be recovered by a person from a place specified in an FVRO or VRO may include any, or all, of the following —

(a) property that is used by the person to earn income;

(b) personal property of a child of the person;

(c) property that is wholly, or partly, the property of the person and that is used for, or by, a child of the person;

(d) property that the other party to the restraining order has agreed that the person may recover.

[Regulation 13 inserted: Gazette 26 Nov 2004 p. 5264; amended: Gazette 7 Feb 2017 p. 1166.]

14. Procedures for recovering property under terms of FVRO or VRO (Act s. 10G(5)(b) or 13(5)(b))

(1) For the purposes of section 10G(5)(b) or 13(5)(b) of the Act, the procedures set out in this regulation are the procedures in accordance with which property specified in an FVRO or VRO is to be recovered from a place specified in that order.

(2) Subject to subregulation (4), the person seeking to recover the property is to negotiate a mutually convenient time for the recovery of the property with a person who has lawful access to the property.

(3) Subject to subregulation (4), if agreement as to the recovery of the property is reached, the person seeking to recover the property is to recover the property in accordance with that agreement.

(4) If the person seeking to recover the property is unable to negotiate a mutually convenient time for the recovery of the property, or to carry out an agreement reached as to the recovery of the property, due to the terms of the FVRO or VRO, or for any other reason, the person wishing to recover the property may seek the assistance of a police officer.

[Regulation 14 inserted: Gazette 26 Nov 2004 p. 5265; amended: Gazette 7 Feb 2017 p. 1166.]

14A. Prescribed persons for disclosure of information (s. 70(1A))

For the purposes of section 70(1A) of the Act, the following persons are prescribed —

(a) the Commissioner of Police;

(aa) the Chief Dangerous Goods Officer;

(b) a member of staff of the ACC as defined in the *Australian Crime Commission Act 2002* (Commonwealth).

Note for this regulation: the ACC or Australian Crime Commission established by the *Australian Crime Commission Act 2002* (Commonwealth) is, pursuant to the *Australian Crime Commission Regulations 2002* regulation 3A, known as the Australian Criminal Intelligence Commission.

[Regulation 14A inserted: Gazette 7 Feb 2017 p. 1166-7; amended: SL 2020/258 r. 7.]

15. Exchange of information (Act s. 70A)

For the purposes of section 70A of the Act, the following information about a person protected by an FVRO or VRO, or a child affected by such an order, is prescribed information —

(a) the name, address, telephone number, age and ethnicity and other details of —

(i) the person or child; or

(ii) a person who is bound by the FVRO or VRO; or

(iii) an offender or alleged offender responsible for, or involved in, any offence relevant to the granting of the FVRO or VRO;

(b) a description of any offence relevant to the granting of the FVRO or VRO and an abridged description of the circumstances of its commission;

(c) any information about the grounds on which the FVRO or VRO was granted;

(d) the name, rank and any other relevant identifying information of any police officer in charge of investigating any offence relevant to the granting of the FVRO or VRO;

(e) the police station or office where information is held —

(i) about the investigation of any offence relevant to the granting of the FVRO or VRO or the breach of that order; or

(ii) about the grounds on which the order was granted;

(f) the status of the investigation and prosecution of any offence relevant to the granting of the FVRO or VRO by a police officer.

[Regulation 15 inserted: Gazette 26 Nov 2004 p. 5265-6; amended: Gazette 7 Feb 2017 p. 1167.]

16. Prescribed countries (Act s. 79A)

For the purposes of section 79A of the Act, the following countries are prescribed —

Canada

Ireland

United Kingdom.

[Regulation 16 inserted: Gazette 12 Jan 2010 p. 56.]

Schedule 1 — Forms

[r. 3]

[Heading inserted: Gazette 26 Nov 2004 p. 5267.]

[Forms 1-9 deleted: Gazette 7 Feb 2017 p. 1167.]

Form 10 — Police order

Part A — Police order

Restraining Orders Act 1997 Part 2A Division 3A
Police Order

Person who is bound by this order	Family name:	Date of birth:
	Other names:	
	Home address: street: suburb: postcode:	
	Work address: street: suburb: postcode:	
	Phone nos.: work: home: mobile:	

Person protected	Family name:	Date of birth:
	Other names:	

Terms of the order	

Order made	Date order made:	Time order made:
Order expires	This order will expire at a.m./p.m. on the day of 20 [Note that this order cannot remain in force for a period longer than 72 hours after it has been served.]	

Form 10

Issuing police officer	Name and other identifying information:
	Signature:

THIS IS A NATIONALLY RECOGNISED ORDER

Form 10 — Police order

Part B — Information to be on the proof of service copy

Certificate of Service

Person served [Person who is bound by the order]	Name:	
	Date of birth:	
	Signature:	
Details of Service	Place where order served:	
	Date of service:	Time of service:
Officer servicing order	Name and other identifying information: I certify that on the day and at the time and place set out above: ❒ I personally served this order on the person bound by this order. ❒ I gave the explanation required by the *Restraining Orders Act 1997* section 30E(3)to the person bound by this order and the person protected by this order. Signature: Date:	

ISSUING POLICE OFFICER

IMPORTANT INFORMATION: ORDERS AGAINST CHILDREN

Note that the *Restraining Orders Act 1997* section 30D reads as follows:

30D. Police orders against children

(1) A police order cannot impose restraints on a child unless the child is in a family relationship with the person for whose benefit the order is made.

(2) A police officer must not make a police order against a child that might affect the care and wellbeing of the child unless the police officer is satisfied that appropriate arrangements have been made for the care and wellbeing of the child.

Form 10 — Police order

Part C — Information to be on the copy of order given to the person bound by a police order

PERSON BOUND BY THIS ORDER

IMPORTANT INFORMATION

This is a police order which has been made against you.
In this police order you are referred to as the person who is bound by this order.
This police order came into force when it was served on you.
You must comply with the terms of this order until it expires.
The date and time of expiry are written on the front of this order.
The terms of this police order are written on the front of this order. You should read the terms carefully so that you are aware of the restraints that have been imposed on you — this means that you are not to do certain things.
This police order has been issued to —

- ensure that a person is protected from family violence; or
- prevent behaviour that could reasonably be expected to cause a person to apprehend that family violence will be committed against them; or
- ensure that children are not exposed to family violence.

A child is exposed to family violence if the child sees or hears the violence or otherwise experiences the effects of family violence, for example, cleaning up a site after property damage.

When this nationally recognised police order was served on you it became immediately enforceable in all Australian States, the Northern Territory and the Australian Capital Territory under a national recognition scheme for domestic violence orders. If you breach this order when you are in Australia but outside Western Australia, you will be subject to the penalties that apply in the jurisdiction in which the breach occurred.

Penalty: It is an offence to breach a police order. If you breach this order you may be arrested and on conviction will face a penalty of up to $6 000 or imprisonment for 2 years, or both. If you breach the order in the presence of a child with whom you are in a family and domestic relationship (eg. your child, your partner's child or a child who ordinarily resides with you) the court sentencing you may consider this an aggravating factor.

Note 1: If you are convicted of breaching this order, the fact that the person protected by the order aided you in the breach is not a mitigating factor for the purposes of your sentencing (see the *Restraining Orders Act 1997* section 61B(2)).

Note 2: If you are convicted of breaching this order and you have been convicted of at least 2 other offences under the *Restraining Orders Act 1997* section 61(1) or (2a) within the period of 2 years before your conviction for breaching this order, **you will face a penalty that is or includes imprisonment (or, if you are a child, detention)** unless the court decides under section 61A(6) of the Act not to impose such a penalty.

Form 10

Counselling and support services may be of assistance to you.

Any police officer may serve this order.

Form 10 — Police order

Part D — Information to be on the copy of a police order given to a person protected by a police order

IMPORTANT INFORMATION

FOR PERSON PROTECTED BY A POLICE ORDER

This is a police order which has been made for your benefit.
In this police order you are referred to as the person protected.
This police order came into force when it was served on the person who is bound by the order.
The person bound by this order must comply with the terms of this order until it expires.
The date and time of expiry are written on the front of this order.
The terms of this police order are written on the front of this order. You should read the terms carefully so that you are aware of the restraints that have been imposed to protect you.
This police order has been issued to —

- ensure that a person is protected from family violence; or
- prevent behaviour that could reasonably be expected to cause a person to apprehend that family violence will be committed against them; or
- ensure that children are not exposed to family violence.

A child is exposed to family violence if the child sees or hears the violence or otherwise experiences the effects of family violence, for example, cleaning up a site after property damage.
The person bound by this order commits an offence if he or she fails to comply with this order.

You must not —

- invite or encourage the person bound by this order to breach this order; or
- by your actions cause the person bound by this order to breach the order.

When this nationally recognised police order was served on the person who is bound by this order it became immediately enforceable in all Australian States, the Northern Territory and the Australian Capital Territory under a national recognition scheme for domestic violence orders. If the person who is bound by this order breaches this order when the person is in Australia but outside Western Australia, the person will be subject to the penalties that apply in the jurisdiction in which the breach occurred.

Penalty: It is an offence to breach a police order. If the person bound by this order breaches this order he or she may be arrested and on conviction will face a penalty of up to $6 000 or imprisonment for 2 years, or both.

Form 10

Note 1: If the person bound by this order breaches it and you aid the person in that breach, you will not commit an offence however the court might decide to vary or cancel the order (see the *Restraining Orders Act 1997* section 61B(3) and (4)).

Note 2: If the person who is bound by this order is convicted of breaching this order and the person has been convicted of at least 2 other offences under the *Restraining Orders Act 1997* section 61(1) or (2a) within the period of 2 years before the conviction for breaching this order, the person will face a penalty that is or includes imprisonment (or, if the person is a child, detention) unless the court decides under section 61A(6) of the Act not to impose such a penalty.

Counselling and support services may be of assistance to you.

Any police officer may serve this order.

[Form 10 inserted: Gazette 4 May 2012 p. 1856-9; amended: Gazette 7 Feb 2017 p. 1167-8; 24 Nov 2017 p. 5678-9.]

[Forms 11-13, 14A and 14 deleted: Gazette 7 Feb 2017 p. 1167.]

Notes

This is a compilation of the *Restraining Orders Regulations 1997* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Citation	Published	Commencement
Restraining Orders Regulations 1997	12 Sep 1997 p. 5079-146 (correction 16 Sep 1997 p. 5235)	15 Sep 1997 (see r. 2 and *Gazette* 12 Sep 1997 p. 5149)
Restraining Orders Amendment Regulations 1998	27 Mar 1998 p. 1714	27 Mar 1998
Restraining Orders Amendment Regulations (No. 2) 2001	8 Jan 2002 p. 32-3	8 Jan 2002
Reprint 1: The *Restraining Orders Regulations 1997* as at 13 Feb 2004 (includes amendments listed above)		
Restraining Orders Amendment Regulations 2004	26 Nov 2004 p. 5257-305	1 Dec 2004 (see r. 2)
Reprint 2: The *Restraining Orders Regulations 1997* as at 16 Mar 2007 (includes amendments listed above)		
Restraining Orders Amendment Regulations 2007	31 Jul 2007 p. 3800-2	r. 1 and 2: 31 Jul 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Aug 2007 (see r. 2(b))
Restraining Orders Amendment Regulations 2009	12 Jan 2010 p. 55-6	r. 1 and 2: 12 Jan 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 13 Jan 2010 (see r. 2(b))
Restraining Orders Amendment Regulations 2012	4 May 2012 p. 1847-60	r. 1 and 2: 4 May 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 5 May 2012 (see r. 2(b))

Citation	Published	Commencement
Reprint 3: The *Restraining Orders Regulations 1997* as at 6 Jul 2012 (includes amendments listed above)		
Restraining Orders Amendment Regulations 2017	7 Feb 2017 p. 1164-8	r. 1 and 2: 7 Feb 2017 (see r. 2(a)); r. 17: 8 Feb 2017 (see r. 2(b)); r. 3-16, 18 and 19: 1 Jul 2017 (see r. 2(c) and *Gazette* 7 Feb 2017 p. 1157)
Restraining Orders Amendment Regulations (No. 2) 2017	24 Nov 2017 p. 5678-9	r. 1 and 2: 24 Nov 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Nov 2017 (see r. 2(b) and *Gazette* 24 Nov 2017 p. 5671)
Restraining Orders Amendment Regulations 2020	SL 2020/63 22 May 2020	r. 1 and 2: 22 May 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 23 May 2020 (see r. 2(b))
Restraining Orders Amendment Regulations (No. 2) 2020	SL 2020/258 24 Dec 2020	r. 1 and 2: 24 Dec 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2021 (see r. 2(b))
Restraining Orders Amendment Regulations 2022	SL 2022/146 26 Aug 2022	r. 1 and 2: 26 Aug 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 27 Aug 2022 (see r. 2(b))
Attorney General Regulations Amendment (Firearms) Regulations 2022 Pt. 3	SL 2022/189 18 Nov 2022	19 Nov 2022 (see r. 2(b))
Attorney General Regulations Amendment (Firearms) Regulations 2024 Pt. 3	SL 2024/300 21 Dec 2024	31 Mar 2025 (see r. 2(b) and SL 2024/289 cl. 2)
Restraining Orders Amendment Regulations 2025	SL 2025/29 5 Feb 2025	r. 1 and 2: 5 Feb 2025 (see r. 2(a)); Regulations other than r. 1 and 2: 6 Feb 2025 (see r. 2(b))

Citation	Published	Commencement
Restraining Orders Amendment Regulations 2026	SL 2026/123 24 Jun 2026	r. 1 and 2: 24 Jun 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Aug 2026 (see r. 2(b))

Other notes

[1] Under the *Courts Legislation Amendment and Repeal Act 2004* s. 58, a reference in a written law to the court of petty sessions is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to the Magistrates Court. This reference was amended under the *Reprints Act 1984* s. 7(5)(a).

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
Chief Dangerous Goods Officer	2A
custodial officer	10(1A)
explosives order	5C
form	2A
latest attempt	9B(2)
prison officer	10(1A)
proceedings under the Act	2A
restrained person	2A
senior officer	9B(1)

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