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**SPECIAL** 

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PROSTITUTION ACT 2000

# PROSTITUTION (RESTRAINING ORDERS) REGULATIONS 2000

#### Prostitution Act 2000

# Prostitution (Restraining Orders) Regulations 2000

Made by the Administrator in Executive Council.

#### 1. Citation

These regulations may be cited as the *Prostitution (Restraining Orders) Regulations 2000.* 

#### 2. Commencement

These regulations come into operation on the day on which the *Prostitution Act 2000* comes into operation.

#### 3. Forms

- (1) The forms set out in Schedule 1 are prescribed in relation to the matters specified in those forms.
- (2) It is sufficient compliance with the Act if a form substantially in compliance with the prescribed form is used.

# 4. Affidavit

An affidavit accompanying an application for leave to apply to vary or cancel a restraining order is to be sworn before a justice.

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#### 5. Orders under section 37

- (1) When a court makes a restraining order under section 37 of the Act the court is to make a written record of the proceedings in the prescribed form and cause the form to be placed on the court records.
- (2) For the purposes of section 42 of the Act, when a court makes a restraining order under section 37 of the Act, the order is taken to have been made on the application of the Commissioner of Police.

#### 6. Service of applications

- (1) A person making an application under section 38 of the Act for a restraining order must cause a copy of the application to be served on the person sought to be restrained.
- (2) A person making an application under section 42 of the Act to vary or cancel a restraining order must cause a copy of the application to be served on
  - (a) if the application is made by a police officer, the restrained person; or
  - (b) if the application is made by the restrained person, the person on whose application the restraining order was made.
- (3) Part 6 Division 2 of the *Restraining Orders Act 1997* applies in relation to the service of an application relating to a restraining order under the Act as if it were a summons relating to a restraining order under the *Restraining Orders Act 1997*.

#### 7. Service of restraining orders

Part 6 Division 2 of the *Restraining Orders Act 1997* applies in relation to the service of a restraining order under the Act as if it were a restraining order under the *Restraining Orders Act 1997*.

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#### 8. Notification

Part 6 Division 2 of the *Restraining Orders Act 1997* applies in relation to the notification of a matter under the Act as if it were the notification of a matter under the *Restraining Orders Act 1997*.

# Schedule 1 Forms

# Schedule 1 — Forms

[r. 3]

Form	Title	Section
1	Application for prostitution restraining order	38
	Court copy (front and back)	
	Applicant's copy	
	Copy for person to be restrained	
	Proof of service copy (front and back)	
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	Court copy	
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	Court copy	
	Respondent's copy (front and back)	
	Police copy (front and back)	
	Proof of service copy (front and back)	
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	prostitution restraining order	
	Court copy (front and back)	
	Restrained person's copy (front and back)	
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	Proof of service copy (front and back)	
5	Affidavit in support of application for leave to	42
	apply vary or cancel a prostitution restraining	
	order	
6	Application to vary or cancel a prostitution	42
	restraining order	
	Court copy (front and back)	
	Copy for person applying to vary or cancel	
	Other party's copy	

					For	ms	Schedule 1
Pro	stitution .	Act 2000	N	lumber			
	•	on for a restraining	Jı	urisdiction			Petty Sessions s Court
	orae	er					
Applicant	Regimer Police st	ation/division	e				on behalf of
	Phone no	).					
Person to be restrained	Family n					D	ate of birth
(Fill in as many details as	Home address Work	street suburb				postc	ode
known)	Address	street Suburb				postc	ode
	Phone no	os. work			home		
Grounds for application		that the person to has committed an intends to commit	offenc	e in a pu		ace	
Directions given under s. 26 of Act	Date	Given by (name &	& regii	nental n	0.)	Give	n at (place)
Applicant	Signatur	e					Date
Hearing (To by filled in	Court			Da	nte		Time
by the court)	Signatur	e of clerk		· · · · · · · · · · · · · · · · · · ·			

Court copy

Schedule 1 Forms	
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		Recor	d of Proceedir	ngs	
Date	Atter	ndance	Repres	entation	Adjournments
	Applicant	Person to be restrained	Applicant	Person to be restrained	
		restramed		restramed	
		1			
			Orders		
udicial	Officer		Date	Time	
udicial	Officer			Time	
udicial	Officer		Date lerk's record	Time	
udicial	Officer			Time	

Back of court copy

						Forn	าร	Schedule 1
Pro	stitution	Act 2000		Numbe	er			
	•	on for a restraining er	3	Jurisdi Locatio				Petty Sessions s Court
Applicant	Regimer	ation/division	olice					on behalf of
	I none ii	<i>.</i>						
Person to be restrained	Family r						D	Date of birth
(Fill in as many details as	Home address	street suburb					postc	ode
known)	Work Address	location street Suburb					postc	ode
	Phone no	os. work				home		
Grounds for application	rounds for I suspect that the person to be restrained — pplication has committed an offence in a public place intends to commit an offence in a public place Offence							
	Public p	lace						
Directions given under s. 26 of Act	Date	Given by (nar	ne & re	gimenta	ıl no.)		Give	n at (place)
		ı						
Applicant	Signatur	e						Date
Hearing (To by filled in	Court				Date			Time
by the court)	Signatur	e of clerk						

Applicant's copy

Schedule 1	For	ms					
Pro	ostitution	Act 2000		Numbe	er		
Apj	plication	on for a		Jurisdi			etty Sessions Court
prostit	orde	restrainin er	ıg	Locati	on		
Applicant	Name the Com	missioner of I	Police			0	n behalf of
	Regimer	ntal no.					
		ation/division	L				
	Phone no						
Person to be	Family r	name				Da	te of birth
restrained	Other na						
(Fill in as many	Home address	street suburb				postco	de
details as	Work	location				posico	ac
known)	Address						
	radicss	Suburb				postco	de
	Phone no	os. work			home	posico	ac
	I Hone in	os. Work			потпе		
Grounds for application		t that the personal that the p	d an offe	nce in a		ce	
	Public p	lace					
	i done p	iacc					
Directions	Date	Given by (na	me & re	gimenta	ul no )	Given	at (place)
given under	Date	Given by (ne	inc a re	gimenta	11 110.)	Given	at (place)
s. 26 of Act							
5. 20 01 1100							
Applicant	Signatur	P.P.					Date
Applicant	Signatui						Date
	-						
Hearing (To by filled in	Court				Date		Time
by the court)	Signatur	e of clerk					

Forms Schedule 1

An application for a restraining order has been made against you. The details of the application are set out above.

You are required to attend a court hearing on this matter at the place and time set out above. If you do not attend the court hearing a restraining order may be made against you in your absence.

A restraining order may prohibit you from going to certain places or doing certain things, or impose restrictions on the places where you may go and the things that you may do.

Copy for person to be restrained

Schedule 1

# Prostitution (Restraining Orders) Regulations 2000

Forms

Pro	stitution	Act 2000		Numbe	er		
		on for a restrain	inσ	Jurisdi		ırt of Po ldren's	etty Sessions Court
prosin	orde		iiig	Location	on		
A 1º 4	NT						. 111C . C
Applicant	Name	ii.a	f Dolina			0	n behalf of
		missioner o	of Police				
	Regimer	ation/divisi	on				
	Phone no		OII				
	i none n	J.					
Person to be	Family r	name				Da	te of birth
restrained	Other na						
	Home	street					
(Fill in as many details as	address	suburb				postco	de
known)	Work	location	1				
	Address	street					
		Suburb				postco	de
	Phone no	os. work			home		
C1 f	т	41			1		
Grounds for					ea — public place		
application					in a public place	ice	
	Offence	intends to c	Ommit an	Official	in a public pia	icc	
	Public p	lace					
	r done p						
Directions	Date	Given by (	name & r	egimenta	l no.)	Given	at (place)
given under				<u> </u>	,		<b>u</b> /
s. 26 of Act							
							_
Applicant	Signatur	e					Date
	-				_		I
<b>Hearing</b> (To by filled in	Court				Date		Time
by the court)	Signatur	e of clerk					

Proof of service copy

			For	ms	Schedule 1
	Ce	ertificate of s	ervice		
Officer	Name				
serving	Regimental no.				
application	Police station/division	n			
Service	Method of service	☐ persona	al 🗖 by po	ost	
	Place where order ser	rved			
	Date of service		Time of service		
Person	Name				
served	Address street				
	Suburb		po	stcode	
(If possible to obtain)	Signature				
obtain)					
Certificate	I certify that on the d	av and at the	time and place se	t out ab	ove
			plication on the p		
			prepaid registered		
			s set out above	1	1
	in accordance with th	ne Prostitution	n (Restraining Or	ders)	
	Regulations 2000.		, 0	,	
	Signature			Date	

Back of proof of service copy

Schedule 1	Forms	6			
Pro	stitution Ac	t 2000	Number		
Prostit	ution re	straining	Jurisdiction	☐ Court of Pet	ty Sessions
		_		☐ Children's C	
ord	er unde	c s. 39		Other	
Recor	d of pro	ceedings	Location		
_					
Application	Order made		ourt of its own most of	otion	
Person to be	Family nan	ne			Date of
restrained	Other name	es			birth
	Home	street			•
(Fill in as many details as	address	suburb postco			e
known)	Work	location		•	
, ,	Address	street			
		Suburb		postcode	e
	Phone nos.	work		home	
	•				
<b>Grounds for</b>	Offence	□ s. 5 — seeki	ng prostitution in	public place	
order		□ s. 6 — seeki	ng client in publi	c place	
		prescribed o	ffence		
	Place offen	ce occurred			
	Date of offe				
	Grounds or	which court cor	nsiders offender i	s likely to comm	nit a similar
	offence			-	

		Forms	Schedule '
Witnesses and summary of evidence	Police		
	Person to be restrained		
	Other witnesses		
Other notes			

Schedule 1	Forms		
Terms of			
the order			
0.1	D.4 1 1.	T' 1	
Order	Date order made	Time order made	
made			
Clerk /			Date
Registrar			Duit
	l .		l

Court copy

			Forms	Schedule 1
I	estitution Act 2000 Prostitution training order		Court of Pe Children's Other	
		Location		
Restrained person	Family name Other names Home street address suburb Work street		postc	
	Address suburb		postc	ode
	Phone nos. work		home	
Terms of the order				
-		len:		1
Order made	Date	Time		
Clerk/ Registrar	Signature		Dat	te

Court copy

Schedule 1	Forms	
I	ostitution Act 2000 Prostitution training order	Number  Jurisdiction
Restrained person	Family name Other names Home street address suburb Work street Address suburb Phone nos. work	Date of birth  postcode  postcode home
Terms of the order		
Order made	Date	Time
Oruer made	Date	1 IIIIC
Clerk/ Registrar	Signature	Date

Restrained person's copy

Forms Schedule 1

#### **IMPORTANT INFORMATION**

# **Prostitution restraining order**

A restraining order has been made against you on the terms set out on the front of this order. It will take effect when it is served on you and it will remain in force until it expires or is varied or cancelled by a court. You must comply with this order at all times while it is in force.

If there is a duration specified in the order, the order expires at the end of the specified period. If there is no duration specified in the order, it expires 1 year after it was served on you.

If, in the future, there is a substantial change in the circumstances which led to the order being made you may apply to the court for leave to apply to have the order varied or cancelled. If you would like more information about doing this you should consult your lawyer or the clerk of the court.

**Penalty** It is an offence to breach this restraining order. If you do, you may be arrested and will face a penalty of up to \$5 000.

Back of restrained person's copy

Schedule 1	Forms				
P	stitution Act 200 Prostitution raining ord		Number Jurisdiction Location	Court o	
Restrained person	Family name Other names Home stre address sub Work stre Address sub Phone nos. wor	urb et urb		-	Date of birth ostcode
Terms of the order					
Order made	Date		Time		
Clerk/ Registrar	Signature				Date

Police copy

Schedule 1

# Prostitution (Restraining Orders) Regulations 2000

Forms

	Certificate of se	rvice			
Officer	Name				
serving	Regimental no.				
order	Police station/division				
Service	Method of service ☐ personal	☐ oral ☐ substituted			
	Place where order served				
	D. C.	TD: C :			
	Date of service	Time of service			
Person	Name				
served	Address street				
ser veu	Suburb	postcode			
(If possible to	Signature	positione			
obtain)					
G 4.66 4	T CC d d d d d d d				
Certificate	I certify that on the day and at the ti	*			
	☐ I personally served this order on the restrained person ☐ I orally served this order on the restrained person				
	•	the court to effect substituted service			
	of this order on the restrain				
	in accordance with the <i>Prostitution</i>	*			
	Regulations 2000, and in the case o	,			
	restrained person appeared to under	•			
	Signature	Date			

Back of police copy

Schedule 1	Forms	
]	ostitution Act 2000 Prostitution training order	Number  Jurisdiction
Restrained person	Family name Other names Home street address suburb Work street Address suburb Phone nos. work	Date of birth  postcode  postcode home
Terms of the order		
Order made	Date	Time
Clerk/	Signature	Date
Registrar		

Proof of service copy

Schedule 1

# Prostitution (Restraining Orders) Regulations 2000

Forms

	Certific	eate of service		
Officer serving order	Name Regimental no. Police station/division			
Service	Method of service  Place where order served	personal	□ oral	substituted
	Date of service	Time o	of service	
Person served (If possible to obtain)	Name Address street Suburb Signature		postcoo	de
Certificate	I certify that on the day and ☐ I personally served ☐ I orally served this ☐ I took the steps dir of this order on the in accordance with the <i>Pro</i> Regulations 2000, and in the restrained person appeared Signature	d this order on the re- s order on the re- rected by the co- e restrained per- sistitution (Restra- the case of oral s	the restrained estrained persurt to effect son aining Order service I also	l person son substituted service rs) certify that the

Back of proof of service copy

Schedule 1

# Prostitution (Restraining Orders) Regulations 2000

Forms

Application Act 2000 Application for leave to apply to vary or cancel a prostitution restraining order		Number  Jurisdiction			
Restrained person	Family name Other names Address street Suburb Phone nos. work	h	postco	ode	
Restraining order	Date order was made Restraining Order no.				
Substantial changes	What circumstances have submade?	stantially changed	l since the	e order was	
	Do you want the order to be If varied, what do you want ch		<b>J</b> varied		
Grounds for variation or cancellation	Why do you want the restraining	ing order varied o	or cancelle	ed?	
Person applying for leave	Signature			Date	
Hearing (To be filled in by the court)	Court		Date	Time	
Signature of clerk					

Court copy

Forms	Schedule 1

		Recor	d of Proceedir	ngs	
Date	Atter	ndance	Repres	entation	Adjournments
	Applicant	Person to be	Applicant	Person to be	ū
	**	restrained		restrained	
			Orders		
Judicial	Officer		Date	Time	
		C	lerk's record		
		C.	icik s iccoiu		

Back of court copy

Schedule 1	Forms					
Pro	ostitution Act 2000	Number				
Appli	cation for leave	Jurisdiction				
	to vary or cancel		Children's	Court		
	•	Location				
a prosti	tution restraining					
	order					
	I					
Restrained	Family name					
person	Other names Address street					
	Suburb		postcod	e		
	Phone nos. work home					
Restraining	Date order was made					
order	Restraining Order no.					
Substantial	What circumstances have su					
changes	made?					
Variation or	Do you want the order to be	ancelled	varied			
	If varied, what do you want of					
Grounds for variation or cancellation	Why do you want the restrain	ning order varied o	or cancelled?	?		
Person applying for leave	Signature		Da	nte		
Hearing (To be filled in	Court		Date	Time		
by the court)	Signature of clerk					

Restrained person's copy

Forms

Schedule 1

#### IMPORTANT INFORMATION

#### Application for leave to apply to vary or cancel

As the restrained person, before you are allowed to apply to vary or cancel the restraining order you must apply for leave to make that application.

When you file your application for leave you must also file an affidavit setting out all the facts that you know about that are material to the application — this includes all the facts that may go against your application as well as the ones that support it. If you do not do this the court may reject your application.

At the hearing of the application for leave you must convince the court that there has been a substantial change in the relevant circumstances since the restraining order was made. If the court is not satisfied that there has been a substantial change of circumstances your application for leave will be dismissed

If the court is satisfied that there has been a substantial change of circumstances it will order you to serve a copy of this application on the person who originally applied for the restraining order (this will usually be the Commissioner of Police). That person will then be able to attend court to oppose your application for leave if he or she wishes to do so.

If the court grants you leave, you must then lodge an application to vary or cancel the restraining order.

If you do not attend the hearing of your application for leave, your application may be dismissed.

Back of restrained person's copy

Schedule 1 Forms	Schedule 1
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# This form must not be served until service is ordered by the Court

					(19X111.		iiiiiiiii	
Application Act 2000 Application for leave to apply to vary or cancel a prostitution restraining order			Number Jurisdictio		☐ Court of ☐ Childrer		tty Sessions Court	
			Location					
Restrained person	Family nar Other name Address Phone nos.	es street Suburb			1	postco home	ode	
Restraining order	Date order Restraining							
Substantial changes	What circu made?	mstances have s	subs	tantially cha	ange	ed since the	ord	er was
		nt the order to b what do you wan			[	□ varied		
Grounds for variation or cancellation	Why do yo	ou want the restr	ainiı	ng order var	ried	or cancelle	d?	
Person applying for leave	Signature						Date	;
Hearing (To be filled in	Court					Date	Т	Time
by the court) Signature of clerk								

Respondent's copy

Forms	Schedule 1

# This form must not be lodged until application has been served on the Respondent

	17/17/17/17			
Appli to apply	cation Act 2000 cation for leave to vary or cancel tution restraining order	Number Jurisdiction Location	☐ Court o☐ Childre	f Petty Sessions n's Court
Restrained person	Family name Other names Address street Suburb Phone nos. work		postc home	ode
Restraining order	Date order was made Restraining Order no.			
Substantial changes	What circumstances have sul made?	ostantially chang	ed since the	e order was
	Do you want the order to be If varied, what do you want of		□ varied	
Grounds for variation or cancellation	Why do you want the restrain	ning order varied	l or cancell	ed?
Person applying for leave	Signature			Date
Hearing	Court		Date	Time
(To be filled in by the court)	Signature of clerk		·	

Proof of service copy

Schedule 1	Forms

	Certificate of service				
Person	Name				
serving	Home street				
application	address suburb postcode				
Service	Method of service ☐ personal ☐ by post				
	Place where order served				
	Date of service Time of service				
Person	Name				
served	Regimental no.				
	Police station/division				
(If possible to obtain)	Signature				
Certificate	I certify that on the day and at the time and place set out above				
	☐ I personally served this application on the person named above	•			
	☐ I sent this application by prepaid registered post to the person				
	named above at the police station/division referred to above				
	in accordance with the <i>Prostitution (Restraining Orders)</i>				
	Regulations 2000.				
	Signature Date				

Back of proof of service copy

for leave	Prostitution Act 2000 t in support of application to apply to vary or cancel itution restraining order  Family name Other names Home street	Number Jurisdiction Court of Petty Sessions Children's Court Location Date of birth
	address suburb	postcode
Affidavit  NOTE You must set out ALL the relevant circumstances — this includes things that may go against your application as well as those that support it.  (Add extra pages if required)	I make oath and swear that since the respective relevant circumstances have changed as 1.  2.  3.  4.  5.	
Sworn	Signature	
before a Justice of		Date
the Peace	Justice of the Peace Signature Name	

Schedule 1

# Prostitution (Restraining Orders) Regulations 2000

Forms

Prostitution Act 2000  Application to vary or cancel a prostitution			☐ Court of☐ Children	Petty Sessions s Court	
rest	raining order	Location			
Applicant	☐ Police officer nominated b	y the Commission	oner of Polic	ce	
	Name				
	Regimental no.				
	Police station/division				
	Phone no.				
	☐ Restrained person				
Restrained	Family name				
person	Other names				
	Address street				
	Suburb Phone nos. work		posto home	code	
	r none nos. work		nome		
	Date order was made				
order	Restraining Order no.				
Leave	Date leave to apply to vary w (if application is by restrained persor				
			<b>-</b> 1		
	Do you want the order to be If varied, what do you want c		□ varied		
Grounds for variation or cancellation	Why do you want the restrain	ing order to be v	varied or car	ncelled?	
Signature of				Date	
applicant				Date	
Hearing	Court		Date	Time	
(To be filled in	Signature of clerk			I	

Court copy

Forms	Schedule 1

Record of Proceedings					
Date	Atten	dance	Representation		Adjournments
	Applicant	Person to be restrained	Applicant	Person to be restrained	•
			Orders		
udicial	Officer		Date	Time	

Clerk's record		

Back of court copy

Schedule 1	Forms			
	estitution Act 2000	Number		D. W. C
	cation to vary or	Jurisdiction		Petty Sessions
	el a prostitution	T a satism	☐ Children	s Court
rest	raining order	Location		
Annlicant	Doling officer naminated	hy the Commissi	ionar of Dolia	
Applicant	☐ Police officer nominated	by the Commissi	ioner of Ponc	:e
	Name			
	Regimental no.			
	Police station/division	n		
	Phone no.			
	☐ Restrained person			
Restrained	Family name			
person	Other names			
•	Address street			
	Suburb		posto	ode
	Phone nos. work		home	
Restraining	Date order was made			
order	Restraining Order no.			
oruei	Date leave to apply to vary	was granted		
Leave	(if application is by restrained pers			
	· · · · · · · · · · · · · · · · · · ·			
	Do you want the order to be		□ varied	
cancellation	If varied, what do you want	changed?		
Grounds for	Why do you want the restra	ining order to be	varied or can	celled?
variation or	wing do you want the restra	ming order to be	variou or can	eciica.
cancellation				
G:	I I			I_
Signature of applicant				Date
аррисан				<u> </u>
Hearing	Court		Date	Time
(To be filled in	Signature of clark		l	1

Copy for person applying to vary or cancel

			Forms	Schedule 1	
_					
Pro	stitution Act 2000	Number			
Application to vary or ☐ Court of Petty					
cance	el a prostitution	<u> </u>	☐ Children's	Court	
	raining order	Location			
Applicant	☐ Police officer nominated	by the Commiss	ioner of Police		
	Name	•			
	Regimental no.				
	Police station/division	n			
	Phone no.				
	☐ Restrained person				
Restrained	Family name				
person	Other names				
	Address street				
	Suburb		postco	de	
	Phone nos. work		home		
Restraining	Date order was made				
order	Restraining Order no.				
÷	Date leave to apply to vary was granted				
Leave	(if application is by restrained person	on)			
Variation or	Do you want the order to be	cancelled	☐ varied		
cancellation	If varied, what do you want	changed?			
	Why do you want the restrain	ining order to be	varied or cance	elled?	
variation or					
cancellation					

Schedule 1	Forms			
Signature of applicant				Date
				1
Hearing (To be filled in by the court)	Court		Date	Time
	Signature of clerk			
			C	Other party's copy
By Comma	nd of the Admir	nistrator,		
M. C. WAUCHOPE, Clerk of the Executive Council				

By Authority: JOHN A. STRIJK, Government Printer.

