



INTERIM VARIATION OF A FINAL INTERVENTION ORDER and SUMMONS

Magistrates Court of South Australia

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Intervention Orders (Prevention of Abuse) Act 2009

Sections 26A

NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER

AP Number					
Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Details of Police Officer Applicant (state rank and number)					
Name	Surname		Given name/s		
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Protected Person(s)					
Names	Surname		Given name/s		DOB dd/mm/yyyy
	Surname		Given name/s		DOB dd/mm/yyyy
	Surname		Given name/s		DOB dd/mm/yyyy
	Surname		Given name/s		DOB dd/mm/yyyy
<p>The Court has heard an application for variation of a final intervention order in your absence and is satisfied that there are grounds to issue an interim variation of the final intervention order. Accordingly, the Court has made an order against you.</p> <p>The Final Intervention Order made on file number dated is hereby varied on an interim basis, pending final determination of the application.</p> <p>Details of final Intervention Order with interim variation:</p> <p>The defendant must not:</p> <p>1 <input type="checkbox"/> assault, threaten, harass or intimidate the protected person(s);</p> <p>2 <input type="checkbox"/> follow or keep the protected person(s) under surveillance including tracking GPS or otherwise;</p> <p>3 <input type="checkbox"/> approach within metres of the protected person(s) unless permitted by other conditions of this order;</p> <p>4 <input type="checkbox"/> contact or communicate with the protected person(s) either directly or indirectly in any way (including telephone, SMS messages, in writing, e-mail or any other social media etc).</p> <p>But contact is permitted; (Tick as applicable)</p>					

- a) at any court or tribunal hearing where the defendant is a party to proceedings or a witness;
- b) through a solicitor or police;
- c) in accordance with an order of a court exercising jurisdiction under the *Family Law Act 1975*;
- d) at a family dispute resolution conference or family counselling under the *Family Law Act 1975*, a family conference under the *Young Offenders Act 1993*, a family group conference under the *Children and Young People (Safety) Act 2017*, or at a mediation;
- e) in accordance with a Parenting Plan under s 63C of the *Family Law Act 1975* consented to by the protected person after this order;

33. Notwithstanding the other terms of this order, contact is permitted by SMS and/or email or _____ to facilitate access to child(ren) and to exchange information as to the welfare of the child(ren);

(OTH) Other orders (regarding communication):

5 enter or remain within _____ metres of any boundary where the protected person(s) stays, resides or works;

6 damage or interfere with the premises where the protected person(s) stays, resides or works;

7 damage or take possession of personal property belonging to the protected person(s) and the following specified property:

8 enter or be within _____ metres of the boundary of the following locations:

9 enter or be within _____ metres of the boundary of any education or care facility attended by the protected person(s) and/or including specifically the following:

10 be in possession of the following weapon(s) or article(s):

11 publish on the internet or by any other electronic means any material about the protected person(s);

12 cause, allow or encourage another person to do anything forbidden by this order.

The defendant must/must not:

(OTH) Other orders:

The defendant is:

13 permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order;

The defendant must:

14 vacate the premises at _____
forthwith upon service of this order and not return to those premises unless this term is varied or dismissed by the Court;

15 contact the Intervention Program Manager at ph. 8204 8815 within 2 business days and make and attend an appointment for assessment, and if assessed as suitable undertake any intervention program as ordered by the court;

(OTH) **Section 68R Family Law Act 1975 Orders/s:** (Tick as applicable)

The Family Court / Federal Circuit Court order,

Parenting Order

Recovery Order

Injunction

Undertaking

Registered Parenting Plan

Recognisance

made on the _____ is Revived / Varied / Discharged / Suspended as follows:

and is ongoing OR valid until .

Firearms orders (see s 14):

- 16 any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be surrendered to the Registrar of Firearms forthwith.
- 17 for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment.

- This order is declared to address a domestic violence concern.
- A variation or revocation of a Problem Gambling Order has been made separately.

Hearing details	Registry		Date
	Address		Time am/pm
	Telephone	Facsimile	Email Address

.....
Date

.....
JUSTICE OF THE PEACE / REGISTRAR

IMPORTANT NOTICES TO THE DEFENDANT

- **Non-compliance with the terms of the Final Order as varied as contained in this Order may render you liable to a term of imprisonment.**
- **If you do not appear on the next occasion, a final order may be made in your absence.**
- If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories
- If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is enforceable in other Australian States and Territories.
- A copy of any evidence that was relied on to make the order may be obtained from the Registry

Proof of Service

The defendant was present in Court when this order was made and is deemed served with the order pursuant to the *Intervention Orders (Prevention of Abuse) Act 2009*.

The defendant was personally served with this order.

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

Method of service:

personally;

in some other manner authorised by the court (please specify):

I certify that I served the attached document on the defendant in the manner described.

Certified this day of 20

Note – include instructions to the police officer serving this order.

Note – Form 43 Multilingual Notice must be served with this order.