

Title	Questionnaire on Protection Orders and their Recognition and Enforcement (REPO)
Document	N/A
Author	PB
Agenda Item	N/A
Mandate(s)	C&D Nos 22-25 of CGAP 2026
Objective	To gather information from HCCH Members on the cross-border recognition and enforcement of protection orders to assist the WG on REPO. Members are invited to respond to the Questionnaire by 11 September 2026 .
Action to be Taken	For Decision ☐ For Approval ☐ For Discussion ☐ For Action / Completion ☒ For Information ☐
Annexes	N/A
Related Documents	A summary of the work carried out between 2011 - 2018, along with several key documents pertaining to the project, can be found on the HCCH website, under " Publications & Studies ".

Questionnaire on Protection Orders and their Recognition and Enforcement (REPO)

I. Background

- 1 At its 2026 meeting, the Council on General Affairs and Policy (CGAP) resumed discussions on a possible new instrument on the cross-border recognition and enforcement of protection orders (REPO), and adopted the following Conclusions and Decisions (C&D):
 22. Welcoming the proposal from the United Kingdom, CGAP mandated the establishment of a Working Group on a potential future convention on cross-border recognition and enforcement of protection orders (REPO).
 23. This Working Group will build on previous work by the PB in 2011-2018 and the Experts' Group in 2014 and further explore the feasibility of, and initially develop policy aims for, a potential future convention on REPO. The Working Group will report to CGAP 2027.
 24. To facilitate the work of the Working Group, CGAP mandated the PB to:
 - a. update its 2012 Questionnaire with a view to collecting information from Member States on civil protection orders available in their States and laws applicable available in their States for cross-border recognition and enforcement of protection orders;
 - b. circulate this Questionnaire in June 2026 and request responses by the end of September 2026.
 25. CGAP further mandated the PB to make arrangements for an in-person Working Group meeting with the possibility for online participation, ahead of CGAP 2027. CGAP thanked the United Kingdom for its offer to host this Working Group meeting including to cover travel costs for HCCH staff, and supports this proposal.¹

II. Introductory Note to the Questionnaire

- 2 The present document comprises the updated Questionnaire requested by CGAP.
- 3 The sole purpose of this Questionnaire is to gather factual and comparative information on the existence, scope, and operation of protection orders, including their recognition and enforcement in cross-border situations. The questions are designed to support informed discussions by providing a clearer picture of national, regional and international frameworks and practices. The Questionnaire deliberately takes a broad approach (e.g., in terms of the kinds of orders that could be in scope), in order to maximise information-gathering for that purpose. This is not intended to pre-empt or prejudice any policy decisions that may be taken regarding a potential future instrument in this area, including its scope and content.
- 4 Therefore, for the purposes of this Questionnaire, the term “protection order” may refer to any measure taken by a competent authority requiring a person to refrain from doing, or to carry out, specified acts to protect one or more identified persons. The term is used in a broad sense and may include orders issued in civil, administrative, or other proceedings, irrespective of the authority by which they are issued, provided that their primary purpose is protective and not punitive.

¹ These C&Ds are available on the HCCH website (www.hcch.net) under “Governance” => “Council on General Affairs and Policy”). A project on the recognition and enforcement of foreign protection orders was carried out by the PB between 2011 and 2018. A summary of the work, along with several key documents pertaining to the project, can be found [here](#).

- 5 Given that States may have different classifications for protection orders (civil, criminal, administrative, other), respondents are invited to adopt a **functional approach** when answering this Questionnaire. Respondents are encouraged to provide hyperlinks to useful online resources pertaining to their national systems.
- 6 This Questionnaire focuses primarily on orders issued for the **protection of adults**. Where relevant, respondents may also include orders issued to protect children and indicate this clearly in their responses.

III. Instructions to Complete the Questionnaire

- 7 To allow the PB to extract parts of the Questionnaire for compilation of the responses, you are kindly requested to use **this Word Version** of the document, and **not to return a PDF version** of the completed Questionnaire.
- 8 You are kindly requested to send your completed Questionnaire to the PB by e-mail to < secretariat@hcch.net > **no later than 11 September 2026, 5.00 p.m. CEST** with the following indication in the subject line of the e-mail:
“REPO - Questionnaire Response [name of State]”.
- 9 Please address any questions you may have on this Questionnaire to < secretariat@hcch.net >.
- 10 The PB intends, except where indicated otherwise or where expressly asked not to do so, to place all responses to the questionnaire on the HCCH website (www.hcch.net). Please, therefore, clearly identify any responses which should not be placed on the website.

	This is available in some jurisdictions; however, it is generally voluntary (with the respondent's agreement) ☒ Restricting possession or use of weapons: Can include surrendering of firearms and firearms licence as well as prohibition on obtaining licence or firearms ☒ Imposing other prohibitions (please specify): Examples can include the requirement to return personal property, cannot cause another person to undertake prohibited conduct on their behalf, prohibit exposing children to violence, conditions related to the consumption of alcohol or drugs, etc. ☒ Imposing positive obligations of a protective nature (please specify): For example, participation in behaviour change programs ☒ Other (please specify): Jurisdictions in Australia generally provide broad discretion as to what behaviours a protection order can prohibit or compel (positive obligation). Ultimately it is at the discretion of the issuer (e.g. state and territory police) and particularly the court in all jurisdictions.
--	---

B. Contexts / situations or wider risks / behaviours that can be addressed by a protection order

2.	What types of contexts / situations or wider risks / behaviours can be addressed by a protection order issued in your jurisdiction? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☒ Domestic or family violence / abuse:² Please insert text here ☒ Sexual violence / abuse: Please insert text here ☒ Harassment (incl. any kind of non-physical forms of abuse): Please insert text here ☒ Stalking: Please insert text here ☒ Forced marriage: Australia considers forced marriage to be a slavery-like practice. Australia's National Plan to End Violence against Women and Children 2022-2032 makes clear that forced marriage and other slavery-like practices, such as servitude, can also constitute family violence: www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf (page 37).
----	---

² "A pattern of behaviour in any relationship that is used to gain or maintain power and control, including physical, sexual, emotional, economic or psychological abuse." Source: [What Is Domestic Abuse? | United Nations](#) (definition provided for guidance purposes only). It is understood that this definition would be inclusive of terms such as "intimate partner violence" and "coercive control".

Forced marriage is a criminal offence in Australia: www.ag.gov.au/crime/modern-slavery/forced-marriage

☐ Honour-related violence:

Australia does not have standalone legal frameworks for honour-related violence, the behaviours would be captured by other broader offences.

☒ Human trafficking / modern slavery:

As above, family violence can constitute forms of modern slavery, such as forced marriage and servitude, as outlined in Australia's National Plan to End Violence against Women and Children 2022-2032, <https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf> (page 37).

Human trafficking, slavery and slavery-like practices are criminal offences in Australia - www.ag.gov.au/crime/modern-slavery

☒ Female genital mutilation (FGM):

Please insert text here

☐ Other contexts / situations or wider risks / behaviours (please specify):

Please insert text here

C. Legal basis for protection orders

3. What is the legal basis enabling authorities in your jurisdiction to issue the protection orders listed in Question 1 above?

Tick all boxes that apply.

Provide additional details where appropriate, as well as references and links where available.

☒ Legislation:

- NSW - 'DPV Act (NSW)': Crimes (Domestic and Personal Violence) Act 2007 (NSW) - <https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2007-080#statusinformation>
- Vic - 'FVP Act (Vic)': Family Violence Protection Act 2008 (Vic) - <https://www.legislation.vic.gov.au/in-force/acts/family-violence-protection-act-2008/061>
- Qld - 'DFVP Act (Qld)': Domestic and Family Violence Protection Act 2012 (Qld) - <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2012-005>
- WA - 'RO Act (WA)': Restraining Orders Act 1997 (WA) - https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_822_homepage.html
- SA - 'IO Act (SA)': Intervention Orders (Prevention of Abuse) Act 2009 (SA) - [https://www.legislation.sa.gov.au/lz?path=/c/a/intervention%20orders%20\(prevention%20of%20abuse\)%20act%202009](https://www.legislation.sa.gov.au/lz?path=/c/a/intervention%20orders%20(prevention%20of%20abuse)%20act%202009)
- Tas - 'FV Act (Tas)': Family Violence Act 2004 (Tas) - <https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2004-067>
- ACT - 'FV Act (Tas)': Family Violence Act 2016 (ACT) - <https://www.legislation.act.gov.au/a/2016-42/>
- NT - 'DFV Act (NT)': Domestic and Family Violence Act 2007 (NT) - <https://legislation.nt.gov.au/Legislation/DOMESTIC-AND-FAMILY-VIOLENCE-ACT-2007>

☐ Administrative regulations / instruments:

Please insert text here

- ☒ Other sources (e.g., case law; please specify):
Regulations associated with the abovementioned Acts.

D. Type(s) of authorities that may issue protection orders

4. Which authorities are competent to issue protection orders in your jurisdiction?

Tick all boxes that apply.

Provide additional details where appropriate.

- ☒ Judicial authorities (please specify):
- ☒ Civil court / tribunal:
Local magistrates courts in each jurisdiction
 - ☒ Criminal court / tribunal:
Please insert text here
- ☐ Administrative authorities (please specify):
- ☐ Administrative tribunal:
Please insert text here
 - ☒ Police / law enforcement officer:
Please insert text here
 - ☐ Other (please specify):
Please insert text here
- ☐ Other authorities (please specify):
Please insert text here

E. Protected person(s)

5. Who can be protected by a protection order issued in your jurisdiction?

Tick all boxes that apply.

Provide additional details where appropriate.

- ☒ Intended protected person(s) only:
- ☒ Adults (please indicate minimum age requirement if applicable):
18+
 - ☒ Children (please indicate age limit if applicable):
In NSW and WA, the applicant must be someone who is at least 16 years of age - DPV Act (NSW) s 48(6); RO Act (WA) s 24A(1)(a).

In the NT, SA and Victoria, the applicant can be at or above 14 years of age, but requires the permission of the court - DFV Act (NT) s 52(3) - 'Young person' defined under s 4; IO Act (SA) s 20(2)(a); FVP Act (Vic) s 45(d)(iii).

In Tasmania, an affected child may also apply for a DVO if the court is satisfied that the child is capable of understanding the nature of the proceedings - FV Act (Tas) s 15(2)(c).

In the ACT, an affected person may apply to the Magistrates Court for a DVO. An 'affected person' is a person against whom family violence has been, or is likely to be, committed. An

	affected person includes any child who hears, witnesses or is otherwise exposed to family violence committed against another person - FV Act (ACT) s 8(1)(b). In Queensland, a person under the age of 18 can only be the applicant or respondent in a domestic violence protection order if the child is in, or has been in, an intimate personal relationship with the other party, or if they have an informal care relationship with the other party. This limits a child's ability to apply for a DVO in Queensland against a parent or relative - DFVP Act (Qld) ss 22(1), 22(2). ☒ Other individuals close to the intended protected person(s) (please specify): Children
--	--

F. Applicant(s)

6.	Who can apply for a protection order in your jurisdiction? <i>Tick all boxes that apply.</i> ☒ The intended protected person(s) ☐ Family member(s) of the intended protected person(s) ☒ Police / law enforcement officers ☒ Courts <i>ex officio</i> ☒ Other person, public authority or official (please specify): APPLICATIONS FOR ADULTS: - In SA and Tasmania, the court can give permission to a person to apply for an order on behalf of the person to be protected - IO Act (SA) ss (20)(1)(b), (2)(iii); FV Act (Tas) s 15(2)(d); Justices Act 1959 (Tas) ss 106B(2)(c), (3). - In Victoria, a person with written consent of the adult person to be protected can apply for an order, or where the person to be protected is a child, with written consent of their parent or leave of the court - FVP Act (Vic) ss 45(c), (d)(ii). - The ACT provides that a 'litigation guardian or any other person with a right to apply for the person to be protected' may apply for a protection order, which could include an 'agent of the person' - FV Act (ACT) s 16(2)(b). - In Queensland, an authorised person applying on behalf of the aggrieved includes an adult who is authorised in writing, or believed by the court to be authorised, to act on that person's behalf - DFVP Act (Qld) ss 25(1)(b), 25(2), 22(1), 22(2). - - An adult acting for a person to be protected may apply in the NT or WA - DFV Act (NT) s 52(1)(b); RO Act (WA) s 24A(2)(c). - In NSW, an application can be made by the guardian of the person for whose protection the order would be made, in the case of a person in respect of whom a guardianship order within the meaning of the Guardianship Act 1987 (NSW) is in force -DPV Act (NSW) s 15(2)(a1).
----	---

G. Person(s) against whom protective orders can be issued

7.	Against whom can a protection order be issued in your jurisdiction? <i>Tick all boxes that apply</i> ☒ Perpetrator(s) / alleged perpetrator(s) / putative perpetrator(s) / person(s) causing the risk ☐ Family members of the perpetrator(s) / alleged perpetrator(s) / putative perpetrator(s) / person(s) causing the risk ☐ Others (please specify): Please insert text here
----	---

H. Supplementary matters

8.	Can supplementary matters, which may or may not be directly related to the immediate safety of the protected person(s), be addressed in protection orders? ☐ Yes (please specify): ☐ Child custody ☐ Maintenance ☐ Property protection ☐ Mandatory counselling (to the extent not covered by Question 1) ☐ Other (please specify): Please insert text here ☐ No ☒ In some cases (please specify): Supplementary matters, such as to protect property or children from further harm or exposure to harm can be addressed in protection orders (at the discretion of the party issuing the order - e.g. police or courts); however, formal arrangements such as parenting orders, division of property and maintenance and other family law related matters are considered and addressed under the Family Law Act 1975 (Cth).
----	---

I. Duration of protection orders

9.	Please provide details regarding the possible duration of protection orders issued in your jurisdiction. Shortest duration for fixed term orders (incl. interim / emergency orders): Please indicate the shortest time frame for such orders: - The duration of interim DVOs varies across jurisdictions, but will generally remain in force until a final order is made, the application is withdrawn, the order is revoked, or another action is taken in accordance with the relevant legislation - DPV Act (NSW) s 24(1); DFV Act (NT) s 64(4); FVP Act (Vic) s 60; FV Act (Tas) s 23; RO Act (WA) ss 16, 16(4); DFVP Act (Qld) s 98; FV Act (ACT) s 25; IO Act (SA) s 19. Please provide examples of such orders: - Currently in the ACT, police may apply for an after-hours order via telephone, which remains in force until either the close of business on the second business day after the order is made, the order is revoked, or a final order is served - FV Act (ACT) ss 101, 106. - WA applies a similar timeframe, with police initiated DVOs to provide protection for no more than 72 hours - RO Act (WA) s 30F. Longest duration for fixed term orders: Please indicate the longest time frame for such orders: In SA, the issuing authority does not have the power to fix an expiry date or limit the duration of an order. As such, all SA orders default to an indefinite duration and only cease when an application to revoke the order has been granted - IO Act (SA) s 11(1). Please provide examples of such orders: As above Indefinite duration: ☒ Yes
----	---

In all jurisdictions, a final order may operate for an indefinite period of time, assuming the respondent is an adult - IO Act (SA) s 11; FVP Act (Vic) s 99; DFVP Act (Qld) s 97; DPV Act (NSW) s 79A; DFV Act (NT) s 27; FV Act (ACT) s 35(1)(c); FV Act (Tas) s 19; RO Act (WA) s 16A(5).

☐ No

Please insert text here

Renewal of protection orders:

☒ All protection orders are potentially renewable (please specify any conditions or limitations, if applicable):

- Other than SA, all jurisdictions empower the court to set the duration of an order, having regard to considerations set out in the relevant legislation - DFVP Act (Qld) ss 37, 97; FVP Act (Vic) s 97; DPV Act (NSW) s 79A; DFV Act (NT) s 27; FV Act (ACT) s 35(1)(c); IO Act (SA) s 11; FV Act (Tas) s 19; RO Act (WA) s 16A(5).

- All SA orders default to an indefinite duration and only cease when an application to revoke the order has been granted - IO Act (SA) s 11(1).

☐ Some protection orders are potentially renewable (please specify):

Please insert text here

☐ Protection orders are not renewable:

Please insert text here

J. Transportability of the domestic protection order

Please complete this section if your jurisdiction has a framework for the cross-border recognition and enforcement of protection orders issued in your jurisdiction.

10. What steps, if any, need to be taken in your jurisdiction to ensure that the protection order issued in your jurisdiction can be relied upon across borders?

Provide additional details where appropriate.

☐ A certificate / abstract / other document to accompany the order is issued **automatically**

Please insert text here

☐ A certificate / abstract / other document to accompany the order is issued **upon request**

Please insert text here

☐ A signature / stamp by a competent authority on the order itself

Please insert text here

☐ There is no procedure to ensure that the protection order can be relied upon abroad

Please insert text here

☒ Other (please specify):

Under the National Domestic Violence Order Scheme (NDVOS), all Domestic Violence Orders (DVOs) (and comparable protection orders) issued in an Australian state or territory from 25 November 2017 are automatically recognised and enforceable across Australia.

If a DVO was issued in an Australian state or territory prior to 25 November 2017, it can be declared at any time to ensure victims are protected nationwide by applying to any local court in Australia.

Under the NDVOS, a New Zealand DVO is also recognised across Australia, if it is registered in any state or territory within Australia.

	https://www.ag.gov.au/families-and-marriage/family-violence/national-domestic-violence-order-scheme The National Criminal Intelligence System (NCIS), administered by the Australian Criminal Intelligence Commission, connects data from all Australian law enforcement agencies and provides secure access to a national view of policing information and criminal intelligence. In the context of FDSV, it provides police with information they may require when attending a callout, including the existence of any DVOs, warrants, and firearms warnings. www.acic.gov.au/services/national-criminal-intelligence-system
--	--

11.	At the time of receiving the protection order, is / are the protected person(s) informed that it may be enforceable abroad? <i>Provide additional details where appropriate.</i> ☐ Yes – please explain how and at what stage the protected person(s) are made aware of this (e.g., upon issuance of the order, via written materials, or through follow-up contact with authorities)? Not explicitly; however, police and courts are expected to confirm existence of a recognised interstate DVO by asking the parties to the DVO if there is an interstate DVO in place - also see below ☐ No
-----	---

12.	Is / are the protected person(s) informed about any potential limitations of the protection orders in other jurisdictions (e.g., possible lack of electronic monitoring)? <i>Provide additional details where appropriate.</i> ☐ Yes – please specify how they are informed: While DVO service provisions are focused on the respondent, all jurisdictions (with the exception of Tasmania) legislate that the protected person should also be served to ensure they are aware of the protections and any conditions imposed on the respondent. The NT, SA and NSW go further to require notice of service to be provided to the Commissioner of the police force - IO Act (SA) ss 18(6), 21(10), 23(7); DFV Act (NT) ss 50, 63; RO Act (WA) s 59(2); DFVP Act (Qld) ss 109, 109A, 185; DPV Act (NSW) ss 31, 77(7); FV Act (ACT) s 70C; FVP Act (Vic) s 201(c); FV Act (Tas) s 14(4). Tasmania does not specify proof of service requirements except when evidence is required to support the registration of an external DVO (e.g. a DVO originating from New Zealand). ☐ No
-----	---

13.	Is / are the (alleged / putative) perpetrator(s) / person(s) causing the risk informed of the protection order's potential enforceability abroad when the order is issued? <i>Provide additional details where appropriate.</i> ☒ Yes For a DVO to become enforceable, it must be served on the respondent and explain all the implications and restrictions of the DVO, including the fact that the DVO is recognised and enforced across all Australian jurisdictions - FV Act (Tas) s 25(1); DPV Act (NSW) s 79; DPV Act (NSW) s 77; FV Act (Tas) s 25(1); FV Act (ACT) s 70C(3); DFV Act (NT) s 119; DFVP Act (Qld) s 184(4); FVP Act (Vic) ss 96(1), 201(b); IO Act (SA) ss 21(8a), 23(5a); RO Act (WA) ss 55, 55(3a), effect of RO Act (WA) service is outlined in Restraining Orders Regulations 1997 rule 10(1).. ☐ No
-----	--

14.	Has your jurisdiction issued any guidance to raise awareness about the availability of protection orders and their potential cross-border reach? <i>Provide additional details where appropriate.</i> ☒ Yes – please describe the guidance (i.e., if they are in form of instructions, non-binding documents, etc.) National Domestic Violence Order Scheme (NDVOS): www.ag.gov.au/families-and-marriage/family-violence/national-domestic-violence-order-scheme ☐ No
-----	--

II. Ensuring / monitoring compliance with domestic protection orders

A. Registers

15.	Are there any registers in your jurisdiction to monitor protection orders? ☒ Yes (please specify): ☒ National database: ☒ Accessible to police ☒ Accessible to courts ☐ Accessible to others (please specify): Yes. The National Domestic Violence Order Scheme (NDVOS) is supported by an information sharing platform known as the Court Portal, which is administered by the Australian Criminal Intelligence Commission. The Court Portal captures and supports automatic recognition of DVOs across all Australian states and territories; however, it is only accessible by police officials and key stakeholders from the courts. ☐ Regional database(s): ☒ Accessible to police ☒ Accessible to courts ☐ Accessible to others (please specify): All states and territories maintain their own policing databases, which feed into national systems mentioned above (e.g. Court Portal, National Criminal Intelligence System) ☐ Local / municipal database(s): ☐ Accessible to police ☐ Accessible to courts ☐ Accessible to others (please specify): Please insert text here ☐ No ☐ Other (please specify): Please insert text here
-----	---

B. Preventing a potential breach or monitoring compliance

16.	By what technological means can compliance with a protection order be monitored or a breach of a protection order be prevented in your jurisdiction?
-----	---

	<i>Tick all boxes that apply.</i> ☒ GPS monitoring ☒ Electronic bracelets ☒ Digital alerts ☒ Databases ☐ None ☒ Other (please specify): Technological intervention to support compliance with a protection order (such as electronic monitoring) may be operationalised by states and territories in instances where the court determines such action is reasonable. For example, this may occur following the breach of an existing protection order or a criminal offence occurs that warrants stronger intervention for DVO matters (e.g. if the person who breaches the DVO is granted bail). Some jurisdictions utilise electronic monitoring to support DVO compliance. For example, as part of a 2 year DFV Electronic Monitoring Pilot, from 1 October 2025, Magistrates Courts in two Queensland locations (Townsville and Caboolture) have the power to impose a monitoring device condition on a DVO for eligible high-risk individuals. www.families.qld.gov.au/our-work/domestic-family-sexual-violence/dfv-prevention/initiatives/dfv-electronic-monitoring. Digital alerts or 'warning flags' about FDV perpetrators are shared by policing agencies across Australia via the National Criminal Intelligence System.
--	---

C. Addressing a breach

17.	Which authorities are responsible for the enforcement of protection orders in your jurisdiction? <i>Tick all boxes that apply.</i> ☒ Police / law enforcement ☐ Bailiff / Sheriff ☒ Court ☐ Other (please specify): Please insert text here
-----	--

D. Enforcement upon simple presentation of protection order

18.	Can a protection order be enforced on the simple presentation of the order to the enforcement officer? ☐ Yes ☒ No - if so, is enforcement subject to one or more of the following: ☐ Verification ☐ Registration ☐ Any other additional steps – describe what needs to happen for enforcement to take place: Enforcement of a DVO is triggered if there is a violation of the DVO conditions and evidence of the violation is provided to state and territory police.
-----	--

E. Sanctions following breach

19.	What are the consequences following a breach of a protection order in your jurisdiction?
-----	---

	<i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☐ Civil sanctions (e.g., injunction, contempt of court) Please insert text here ☒ Fines Please insert text here ☒ Arrest / confinement Please insert text here ☒ Criminal sanctions Please insert text here ☐ Other (please specify): Comparing penalties across Australian states and territories is difficult due to fundamental differences across legislative frameworks. These include maximum penalties (both financial and custodial), as well as how jurisdictions sanction offending through tiered penalty systems (which may impose higher penalties for various aggravating offences). Challenges also stem from how penalties are applied. For example, some jurisdictions may prescribe either a fine or imprisonment term for a DVO breach, while others allow justice officials to impose a combination of both. Six of the eight jurisdictions have embedded a tiered penalty system within their respective DVO frameworks, differentiating between standard and aggravated (or subsequent) breaches of DVOs. The remaining two jurisdictions (ACT and WA) do not differentiate between the nature of breaches, with each only prescribing a single maximum penalty for a DVO breach (for both imprisonment and financial penalties). The maximum penalty for a standard or first breach of an DVO is reasonably consistent across jurisdictions, with the majority of states and territories imposing a maximum penalty of two years (NSW, Vic, NT and WA). The ACT provides the highest maximum imprisonment term for any DVO breach (5 years) but does not have a tiered penalty system.
--	---

III. Current national, regional, and international rules for the recognition and enforcement of foreign protection orders

Part III aims to identify all applicable rules in your jurisdiction pertaining to the recognition and enforcement of foreign protection orders, including those rules deriving from regional or international instruments.

In this regard, jurisdictions may have adopted a specific legal regime for foreign protection orders, which may cover all or only certain aspects of their recognition and enforcement. In the absence of, or alongside, such a specific regime, general rules on recognition and enforcement may apply. In some jurisdictions, foreign protection orders may not be recognised or enforced at all. Where a specific regime does not address all relevant issues, any remaining matters may or may not fall within the scope of a general regime. Sections F, G, and H below are designed to accommodate these different approaches.

F. Specific vs general rules of recognition and enforcement

20.	Please indicate the types of rules available in your jurisdiction for the recognition and enforcement of foreign protection orders. <i>Tick all boxes that apply.</i>
-----	---

	<i>Provide additional details where appropriate, as well as references and links where available</i> ☒ My jurisdiction applies specific rules³ of recognition and enforcement to foreign protection orders coming from: ☐ Any jurisdiction ☒ Specified jurisdictions (please specify)⁴: New Zealand, Canada, United Kindom, Ireland ☐ My jurisdiction applies general rules⁵ of recognition and enforcement to foreign protection orders If you ticked both boxes on specific and general rules of recognition and enforcement, please explain: Please insert text here ☐ My jurisdiction is currently not capable of recognising and enforcing foreign protection orders
--	---

G. Specific rules of recognition and enforcement for protection orders

Please complete this section if foreign protection orders can be recognised and enforced (in full or in part) under a specific set of rules in your jurisdiction.

21.	If your jurisdiction has a specific set of rules for the recognition and enforcement of foreign protection orders, how is it determined whether a foreign protection order falls within the scope of your jurisdiction's specialised recognition and enforcement regime/rules? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☐ Based on which authority issued the order Please insert text here ☐ Based on the content of the order Please insert text here ☐ Based on a certificate / abstract / other document accompanying the order (please specify): Please insert text here ☐ Based on certification on the order itself (e.g., by way of a stamp or seal) Please insert text here ☒ Based on which jurisdiction issued the order (i.e., State or territorial unit of a State) External protection orders from New Zealand can be recognised and enforced nationally under the NDVOS, once registered within any Australian state or territory court - DPV Act (NSW) ss 94-96; FV Act (ACT) s 115; DFV Act (NT) s 102; National Domestic Violence Order Scheme Act 2016 (Vic) s 4; IO Act (SA) s 3; Domestic Violence Orders (National Recognition) Act 2016 (Tas) s 4(1); Domestic Violence Orders (National Recognition) Act 2017 (WA) s 4 and Restraining Orders Act 1997 s 79A. WA goes further, prescribing Canada, Ireland and the United Kingdom (UK) as additional foreign countries that may have their orders registered and enforced in WA - Restraining Orders Regulations 1997 (WA) reg 16.
-----	--

³ Please complete section G below.

⁴ Please complete section H below, if applicable.

⁵ Please complete section H below.

	☐ Based on an authority's full assessment of all relevant information (please specify): Please insert text here
	☐ No determination is necessary for foreign protection orders to be recognised and enforced Please insert text here
	☐ Other (please specify): Please insert text here

22.	Are foreign protection orders recognised and enforced automatically (by operation of law) in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes, it is recognised and enforced on simple presentation of the relevant documents (please specify): ☐ The order in and of itself ☐ The order with the stamp / seal of the issuing authority ☐ Certificate ☐ Abstract ☐ Other accompanying document (please specify): Please insert text here ☒ No, recognition and enforcement takes place once the following step(s) has / have been taken: ☒ Registration ☐ Certification in the jurisdiction where the order is to be recognised and / or enforced ☐ Authentication / verification in the jurisdiction where the order is to be recognised and / or enforced ☐ Other judicial procedure (please specify): Please insert text here ☐ Other administrative procedure (please specify): Please insert text here Please indicate the language(s) in which the accompanying documents must be submitted in your jurisdiction: English
-----	--

23.	Is there a time limit for the recognition and enforcement of a foreign protection order in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes (please specify): Please insert text here ☒ No
-----	--

24.	If registration is not required in your jurisdiction, can foreign protection orders nevertheless be registered? <i>Provide additional details where appropriate.</i> ☐ Yes - please explain how this registration is done: Please insert text here ☒ No Foreign orders must be registered to enable recognition.
25.	Are there any restrictions to the effect of the recognition of a foreign protection order in your jurisdiction (e.g., if the foreign protection order does not correspond to the types of protection orders available in your jurisdiction or if the specified sanctions for a breach of the order cannot be applied in your jurisdiction)? <i>Provide additional details where appropriate.</i> ☒ Yes Foreign orders recognised/registered in Australia will operate as if they are a local DVO (see response to Q27); however, in NSW, only the contravention of a prohibition or restriction is a breach offence. In practical terms, this means that the breach of a condition of a non-local DVO that is not a prohibition or restriction (e.g. positive obligations such as attending a Men's Behaviour Change program) is not enforceable in NSW - DPV Act (NSW) ss 14, 98ZG. ☐ No Please insert text here
26.	Can foreign protection orders be adjusted / modified in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes, without any limitations ☐ Yes, with certain limitations (please specify): ☐ Factual elements of the order (e.g., address) Please insert text here ☐ Geographic scope of the order (e.g., distances, locations) Please insert text here ☐ Duration of the order Please insert text here ☐ The person(s) allowed to seek the adjustment / modification (e.g., only the intended protected person) Please insert text here ☐ Other (please specify): Please insert text here ☒ No

27.	How do you deal with foreign protection orders that do not have a direct equivalent in your jurisdictions' legal system? Please provide information on whether such orders can / need to be adapted in order to be recognised and enforced in your jurisdiction and if the modalities of enforcement also can / must be adapted (e.g., enforcement by courts in your jurisdiction as opposed to police in the jurisdiction where the order was issued). Under the NDVOS, a 'recognised DVO' that has been properly notified under the law of the state in which it was made, has the same effect as a local order and may be enforced against the respondent as if it were a local order. This means that the defendant can be prosecuted in a participating jurisdiction for a failure to comply with the DVO - enabling police and courts to respond consistently across Australian jurisdictions, ensuring that breaches and other non-compliance can be addressed regardless of where the order originated - Domestic Violence Orders (National Recognition) Model Provisions, Part 1, 1.
-----	--

28.	Is it possible to object to the recognition and enforcement of a foreign protection order? <i>Provide additional details where appropriate.</i> ☒ Yes Please specify who can object: ☐ A competent authority <i>ex officio</i> Please insert text here ☐ The person against whom the protection order is issued Please insert text here ☐ Other (please specify): Foreign orders must be registered in the local court of the relevant state or territory. Only foreign orders from New Zealand can be registered as a 'recognised DVO' in all Australian jurisdictions. WA is the only Australian jurisdiction that considers recognition of foreign orders from other countries in addition to New Zealand; however, these are limited to Canada, the United Kingdom and Ireland - Restraining Orders Regulations 1997 (WA) reg 16. Any foreign order that is registered in WA, will be recognised and enforced in Tasmania (including those from Canada, the UK and Ireland if registered in WA) - Domestic Violence Orders (National Recognition) Act 2016 (Tas) s 7. Tasmania also provides that a clerk of petty sessions may, by order, declare any DVO made in any jurisdiction to be a recognised DVO in Tasmania, including DVOs from foreign jurisdictions that are not currently participating jurisdictions - Domestic Violence Orders (National Recognition) Act 2016 (Tas) s 41. Some jurisdictions (NSW, SA, WA, ACT) include provisions to recognise additional foreign orders within their regulations, where appropriate - DPV Act (NSW) s 98V; IO Act (SA) s 29D(c) Domestic Violence Orders (National Recognition) Act 2017 (WA) s 79A; FV Act (ACT) s 115; Family Violence Regulation 2017 (ACT) s 6. Please list all available grounds on which the recognition and enforcement of the foreign protection order can be refused: Where the foreign order is from a jurisdiction that is not recognised within the legislative provisions of the participating jurisdictions under the NDVOS. ☐ No
-----	--

29.	Is the recognition and / or enforcement of a foreign protection order subject to appeal in your jurisdiction? ☒ Yes ☐ No
-----	--

H. General rules of recognition and enforcement in civil and commercial matters

Please complete this section if foreign protection orders can be recognised and enforced (in full or in part) under your jurisdiction's general rules of recognition and enforcement in civil and commercial matters.

30.	What are the general rules for the recognition and enforcement of civil and commercial judgments, including foreign protection orders, in your jurisdiction? ☐ Foreign protection orders are recognised automatically (by operation of law) ☒ Foreign protection orders are subject to a formal recognition and enforcement procedure filed with a competent authority ☐ Foreign protection orders and relevant / accompanying documents need to be accompanied by a certified translation in the language(s) of the requested State ☐ Foreign protection orders need to be certified by a competent authority from the State of origin ☐ Foreign protection orders are subject to legalisation or a similar formality ☐ Foreign protection orders are subject to an <i>exequatur</i> procedure ☐ Foreign protection orders need to be registered with a competent authority ☐ There are no general rules for the recognition and enforcement of foreign protection orders ☒ Other rule(s) (please specify): All jurisdictions have enacted provisions to acknowledge foreign orders from NZ. When jurisdictions enacted the model provisions, they included provisions to ensure that foreign or external protection orders from NZ can be recognised and enforced nationally under the NDVOS, once registered within any Australian state or territory court - DPV Act (NSW) ss 94-96; FV Act (ACT) s 115; DFV Act (NT) s 102; National Domestic Violence Order Scheme Act 2016 (Vic) s 4; IO Act (SA) s 3; Domestic Violence Orders (National Recognition) Act 2016 (Tas) s 4(1); Domestic Violence Orders (National Recognition) Act 2017 (WA) s 4 and Restraining Orders Act 1997 s 79A. Under the NDVOS, foreign orders become 'recognisable foreign orders' once registered - DPV Act (NSW) s 98V; FV Act (ACT) s 134B; DFV Act (NT) s 103B; DFVP Act (Qld) s 174; National Domestic Violence Order Scheme Act 2016 (Vic) s 7; IO Act (SA) s 29B; Domestic Violence Orders (National Recognition) Act 2016 (Tas) s 7; Domestic Violence Orders (National Recognition) Act 2017 (WA) s 7.
-----	--

31.	Can foreign protection orders be adjusted / modified in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes, without any limitations ☐ Yes, with certain limitations (please specify): ☐ Factual elements of the order (e.g., address) Please insert text here
-----	---

	☐ Geographic scope of the order (e.g., distances, locations) Please insert text here
	☐ Duration of the order Please insert text here
	☐ The person(s) allowed to seek the adjustment / modification (e.g., only the intended protected person) Please insert text here
	☐ Other (please specify): Please insert text here
	☒ No

32.	How do you deal with foreign protection orders that do not have a direct equivalent in your jurisdictions' legal system? Please provide information on whether such orders can / need to be adapted in order to be recognised and enforced in your jurisdiction and if the modalities of enforcement also can / must be adapted (e.g., enforcement by courts in your jurisdiction as opposed to police in the jurisdiction where the order was issued). N/A - Foreign orders that are allowed for registration under the NDVOS will be enforced in accordance with local provisions, as if it were a local order (see response to Q27).
-----	--

33.	Is it possible to object to the recognition and enforcement of a foreign protection order? <i>Provide additional details where appropriate.</i> ☒ Yes Please specify who can object: ☐ A competent authority <i>ex officio</i> Please insert text here ☐ The person against whom the protection order is issued Please insert text here ☒ Other (please specify): The merits of a foreign order cannot be appealed; however, the recognition or registration of a foreign order by an Australian court may be appealed. Please list all available grounds on which the recognition and enforcement of the foreign protection order can be refused: Please insert text here ☐ No
-----	---

34.	Is the recognition and / or enforcement of a foreign protection order subject to appeal in your jurisdiction? ☒ Yes
-----	---

	☐ No
--	-----------------------------

IV. Future developments in the area

35.	Are there any legislative developments planned or contemplated in your jurisdiction pertaining to (foreign) protection orders? <i>Provide additional details where appropriate.</i> ☐ Legislative changes in progress Please insert text here ☐ Legislative changes under consideration Please insert text here ☐ No legislative changes planned at the moment Please insert text here ☒ Other (please specify): Recognition of foreign orders is a matter for each state and territory within Australia.
-----	--

V. Electronic resources

Please use the space below to provide any links to useful and relevant online resources.

36.	National Domestic Violence Order Scheme Attorney-General's Department www.ag.gov.au/families-and-marriage/family-violence/national-domestic-violence-order-scheme
-----	--

VI. Other comments

Please use the space below to provide any additional information pertaining to the recognition and enforcement of (foreign) protection orders in your jurisdiction. You may also wish to make any suggestions pertaining to the work of the WG on REPO (general comments or specific comments in advance of the first WG meeting in November 2026).

37.	Please insert text here
-----	-------------------------