Domestic and Family Violence Protection and Other Legislation Amendment Bill 2026

Explanatory Notes

FOR

Amendments to be moved during consideration in detail by the Honourable Amanda Stoker MP, Minister for Families, Seniors and Disability Services and Minister for Child Safety and the Prevention of Domestic and Family Violence

Short title

The short title of the Bill is the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2026.

Objective of the Amendments

The objective of the amendments to the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2026 (the Bill) to be moved during consideration in detail is to correct minor and editorial errors in the Bill.

Achievement of Policy Objectives

The amendments make minor and technical corrections and editorial changes to the Bill that are necessary or desirable to give effect to the policy intent of the Bill.

Alternative ways of achieving policy objectives

There are no alternative ways of achieving the objectives other than by legislative amendment.

Estimated cost for government implementation

There are no costs associated with these amendments.

Consistency with fundamental legislative principles

The amendments have been drafted having regard to the fundamental legislative principles (FLPs) in the *Legislative Standards Act 1992*. The Explanatory Notes for the Bill address issues of consistency with the FLPs raised by the Bill. The amendments proposed during consideration in detail do not raise additional FLP considerations.

Consultation

As the amendments are technical and editorial, no consultation was undertaken.

Consistency with legislation of other jurisdictions

The amendments to the Bill are specific to the State of Queensland and are not uniform with, or complementary to, the legislation of the Commonwealth or another State.

Notes on provisions

Amendment 1 inserts new clause 4A (Amendment of s 26 (When can a court make a protection order)) into the Bill at page 9, after line 2, to reflect that a court may make a protection order during a proceeding or on conviction for a domestic violence offence. The amendment to section 26(b) is consequential to the amendment made by clause 6 of the Bill, which expands the circumstances in which a court may make or vary a domestic violence order under section 42 of the *Domestic and Family Violence Protection Act 2012* (DFVP Act). The amendment to section 42 (per clause 6 of the Bill) will enable a court to make or vary an order at any time during a proceeding for a domestic violence offence. This includes, on conviction (as currently provided), when a hearing for a domestic violence offence is adjourned or ended without conviction, or otherwise at the court's discretion.

Amendment 2 amends clause 10 (Amendment of s 66D (Request for information)) to improve the readability of the provision by omitting the words 'to be fitted with the monitoring device' from section 66D(1)(b). This amendment does not change the substantive operation of the provision but avoids repetition.

Amendment 3 amends clause 26 (Amendment of s 100Q (Explanation)) at page 28, after line 15 to omit the words 'the police commissioner under subdivision 4 or' from section 100Q(3)(g), which is a redundant cross-reference to part 4, division 4, subdivision 4 (Police review). This is because subdivision 4 is omitted by the Bill and the police review process will no longer be available to parties.

Amendment 4 amends clause 27 (Insertion of new ss 100QA-100QC) to address the fact that the court does not 'make' an order under section 177 of the DFVP Act. The intention of new section 100QC(6) is to provide for a Police Protection Direction (PPD) to end if a domestic violence order or recognised interstate order in relation to the respondent and aggrieved is made, and becomes enforceable under section 177. The amendment gives effect to this by amending section 100QC(6) to replace the reference to a domestic violence order being 'made' under section 177 of the DFVP Act, with a reference to the time at which section 177 of the DFVP Act applies to a respondent to a domestic violence order or recognised interstate order.

Amendment 5 amends clause 28 (Amendment of s 100R (Duration)) to correct an internal cross-reference to 'Subsection (3)(d)' in section 100R(3); and to insert a cross-reference to section 100QC in section 100R(4), to clarify that a PPD does not end when an application initiated under new section 100QA is dismissed or adjourned under new section 100QC. This is consistent with the intent of section 100QC(5) as inserted by clause 27 of the Bill.

Amendment 6 inserts new clause 31A (Amendment of s 100ZC (Effect of application)) to omit subsections (2) and (3), which deal with police reviews that are on foot when a court review is initiated. As the framework for police review is omitted by the Bill, these provisions will become redundant.

Amendment 7 amends clause 43 (Insertion of new s 160AA) to insert the word 'only' into new section 160AA(5)(b)(i) as a qualification on the circumstances in which sensitive material may be viewed or examined, to ensure the provision is consistent with the similar provision in section 590AO of the *Criminal Code*. This does not change the substantive effect of new section 160AA.

Amendment 8 amends clause 44 (Amendment of s 161A (Accredited media entity may apply for copy of transcript of proceeding for application)) to correct a reference to 'section 161A' at page 46, line 16, which the Bill incorrectly references as 'section 161'.

Amendment 9 amends clause 44 (Amendment of s 161A (Accredited media entity may apply for copy of transcript of proceeding for application)) to correctly reference 'section 161A' at page 46, line 17, which the Bill incorrectly references as 'section 161'.

Amendment 10 amends clause 51 (Amendment of s 189 (Evidentiary provision)) to insert subsection 1A, which omits reference to section 102 from section 189(3)(b) of DFVP Act. This is consequential to the omission of section 102 of the DFVP Act, which relates to the approving officer for the issue of a police protection notice (PPN).

Amendment 11 inserts new clause 51A (Amendment of s 189C (Police protection directions register)) to omit subsection 189C(2)(e) from the *Domestic and Family Violence Protection Act 2012* (the DFVP Act); and internally renumber subsection (2)(f) to (2)(e). These amendments are consequential to the omission of the police review framework by the Bill. It remains the intention that the PPD register will include reference to each application for police review made up until the commencement of the Bill and the relevant outcomes.

Amendment 12 amends clause 54 (Amendment of schedule (Dictionary)) to omit 'named person' from page 55, line 23, which otherwise has the effect of inadvertently omitting the definition of ***named person*** from the DFVP Act. This is consistent with the policy intent of the Bill, which is intended to amend but not omit the definition of ***named person*** from the DFVP Act.

Amendment 13 amends clause 54 (Amendment of schedule (Dictionary)) to insert subclause (3A) to make the intended amendment to the definition of ***named person***, by removing subsection (c) of the existing definition which refers to PPNs. This amendment reflects the removal of the PPN framework from the DFVP Act.

Amendment 14 amends clause 73 (Amendment of s 25A (Immediate suspension in particular circumstances)) to reclassify the current content of clause 73 as a subclause. This is necessary pursuant to amendment 15, which relocates consequential amendments to the *Explosives Act 1999* (Explosives Act) from the schedule of the Bill to the body of the Bill at clause 73. This ensures that the same provision (section 25A of the Explosives Act) is not being amended twice by the same Bill.

Amendment 15 amends clause 73 (Amendment of section 25A (Immediate suspension in particular circumstances)) to relocate consequential amendments to the Explosives Act from

the schedule of the Bill to the body of the Bill at clause 73. This ensures that the same provision (section 25A of the Explosives Act) is not being amended twice by the same Bill.

Amendment 16 amends clause 84 (Insertion of new ch 24, pt 31) to update a cross-reference in the *Police Powers and Responsibilities Act 2000* (PPRA) to the transitional provision inserted into the *Weapons Act 1990* (Weapons Act) by clause 93 of the Bill (new section 208 of the Weapons Act), which amendment 19 renumbers as section 209.

Amendment 17 amends clause 93 (Insertion of new pt 8, div 11) to omit reference to 'div 11' and replace with reference to 'div 12'. This renumbering is necessary due to the insertion of transitional provisions into the Weapons Act by the *Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026* (the Criminal Code Amendment Act).

Amendment 18 amends clause 93 (Insertion of new pt 8, div 11) to replace the reference to 'Division 11' with 'Division 12'. This renumbering is necessary due to the insertion of transitional provisions into the Weapons Act by the Criminal Code Amendment Act.

Amendment 19 amends clause 93 (Insertion of new pt 8, div 11) to renumber section '208' to '209'. This renumbering is necessary due to the insertion of transitional provisions into the Weapons Act by the Criminal Code Amendment Act.

Amendment 20 amends clause 93 (Insertion of new pt 8, div 11) at page 71, line 23 to omit reference to section '28A', which deals with protection orders and police protection directions, and not PPNs or release conditions, and as such does not need to be addressed by the transitional provisions.

Amendment 21 amends Schedule 1 (Other amendments) at page 74, lines 9 to 11 to omit reference to release conditions from section 12H(3)(c) of the Explosives Act, consequential to omission of release conditions from the DFVP Act by the Bill.

Amendment 22 amends Schedule 1 (Other amendments) at page 74, to omit lines 12 to 18 of the Bill. This is consequential to amendments 14 and 15, which relocate the amendments to the Explosives Act to which lines 12 to 18 relate from the Schedule to the Bill.

Amendment 23 amends Schedule 1 (Other amendments) at page 81, after line 4, to ensure references in section 365(1)(j) of the PPRA to the offence provisions of the DFVP Act are ordered in the consecutive order in which they appear in the DFVP Act.

Amendment 24 amends Schedule 1 (Other amendments) at page 81, after line 6 to update the order of the offence provisions consistent with amendment 23.

Amendment 25 amends Schedule 1 (Other amendments) at page 82, line 20 to make a technical amendment to more precisely identify the text that the Bill removes from sections 27A(1) and (2) of the Weapons Act.