

# FORM DV4

Domestic and Family Violence Protection Act 2012 (s.86)

## Application to vary a domestic violence order

Please note: a copy of this application will be provided to the aggrieved, applicant, respondent and police

### 1. Aggrieved's Details

If the aggrieved does not want the respondent to know their home address please either:

- Give an address where court documents can be sent e.g. post office box or
- Complete an "Aggrieved Details Form" which will not be provided to the respondent

Given Name

Family Name

Date of Birth

Gender

Address *\*leave blank if you do not want this information to be given to the other party*

SPI# (QPS Only)

Phone Number

Email address

Do you require an interpreter? No  Yes  Language/Dialect:

Do you identify as: Aboriginal  Torres Strait Islander  Aboriginal and Torres Strait Islander   
Neither

Do you have a disability, illness or impairment where support and/or special arrangements are required?

No  Yes

Is the aggrieved under 18 years of age? No  Yes

Please supply the details of a parent as all documents must be given to the parent of the aggrieved unless the court orders otherwise.

Parent's Name

Parent's Address

### 2. Respondent's Details

Given Name

Family Name

Date of Birth

Gender

Address

SPI# (QPS Only)

Phone Number

Email address

Does the Respondent require an interpreter? No  Yes  Language/Dialect:

Does the respondent identify as: Aboriginal  Torres Strait Islander   
Aboriginal and Torres Strait Islander  Neither

Do you have a disability, illness or impairment where support and/or special arrangements are required?

No  Yes

Current place of employment

Vehicle Model

Vehicle Registration

Is the respondent under 18 years of age? No  Yes

Please supply the details of a parent as all documents must be given to the parent of the aggrieved unless the court orders otherwise.

Parent's Name

Parent's Address

### 3. Applicant's Details

#### Part A - Any other applicant who is not the Aggrieved or a member of the Queensland Police Service

Given Name

Family Name

Date of Birth

Gender

Address *\*leave blank if you do not want this information to be given to the other party*

Phone Number

Email address

Do you require an interpreter? No  Yes  Language/Dialect:

Do you identify as: Aboriginal   
Neither

Torres Strait Islander

Aboriginal and Torres Strait Islander

Do you have a disability, illness or impairment where support and/or special arrangements are required?

No  Yes

#### What type of applicant are you?

Respondent in the existing order

A person being authorised by the aggrieved (please provide proof of authorisation)

A person acting under another Act for the aggrieved, respondent or a named person

A named person in the existing order

#### Part B – A Police Officer

Full Name including Rank:

Registration #

Station

Police Occurrence #

Has the aggrieved been advised of this application? No  Yes

### Proceed to Question 4

### 4. Existing Order Details

Please provide a copy of the original order with this application. If you are unable to do so, court registry staff will obtain a copy on your behalf

#### Is the existing order:

A temporary protection order

A protection order

Date the original order made or declared

Court and location where the original order was made or declared

Any domestic violence order made by a court or police officer in Australia from 25 November 2017 is automatically a nationally recognised domestic violence order.

A) Was the existing order made before 25/11/2017? No  Yes

If you want the DVO to be nationally recognised, you will be required to make an application to declare the DVO to be a nationally recognised order.

B) Do you want to apply to declare the order to be a recognised interstate order? No  Yes

**Proceed to Question 5**

**5. Details of Variation**

A) Do you want to vary the conditions of the order? No  Yes

Please provide details of the condition/s that you would like added or varied.

Give reasons

B) Do you want to vary the duration of the order? No  Yes

When would you like the order to end?

Give reasons

C) Do you want to vary the persons named in the order? No  Yes

Provide details of the persons named in the order that you would like removed or added

Full Name	Gender	Date of Birth	Address	SPI # (QPS only)

Give reasons

**Proceed to Question 6**

**6. Temporary Protection Order**

Do you wish the court to make a temporary protection order? No  Yes

If you request a temporary protection order before the respondent has been given a copy of the application, you will have to show the court that there are reasons why it is necessary or desirable for you or a named person to be protected by a temporary protection order before the respondent is given a copy of the application.

Please state reasons below (*attach extra pages if necessary*):


**Proceed to Question 7**

**7. Details of any other Orders**

Has the court made any other order or are there other court proceedings that involve the aggrieved and the respondent? *Please provide a copy of the original order with this application. If you are unable to do so, court registry staff will obtain a copy on your behalf*

Childrens Court Orders	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Police Protection Notice	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Intervention Order	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Interstate Domestic Violence Orders (including New Zealand)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Family Court Orders	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Other relevant court order	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**8. Statutory Declaration**

***[If this statutory declaration is being declared in accordance with the Oaths Act 1867 requirements before a special witness (either remotely and/or using electronic signature/s) DO NOT USE the content below. INSTEAD use DV Form 01E Special Witness Statutory Declaration for DV forms] \*delete these instructions***

The applicant, except if a member of the Queensland Police Service, must sign this application in the presence of a Justice of the Peace, Commissioner for Declarations, or a Solicitor

I,  the applicant, do solemnly and sincerely declare that the contents of this application are true and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

I understand that a person who provides a false matter in a declaration commits an offence.

Declared by  at  on   
[insert full name of declarant]

Signature of declarant ✕

In the presence of  on   
[insert full name of witness] [insert type of witness]<sup>1</sup>

\* delete if not applicable  
[insert name of law practice / witness's place of employment]<sup>\*2</sup>

Signature of witness ✕

I am applying for a temporary protection order before the respondent has been served with a copy of the application and have not been able to have my statutory declaration witnessed as required under the *Oaths Act 1867* due to the urgency of the application. I am submitting an unverified application and am aware that my application will need to be verified before the application can be decided. (*This option is not available if you are the respondent to the protection order*)

### Queensland Police Service Applicant

**The applicant, if a member of the Queensland Police Service, must sign this application and provide the details below:**

Full Name and Rank:	<input type="text"/>
Registration No:	<input type="text"/>
Signature:	<input type="text"/>
Date:	<input type="text"/>

### Notes to the respondent

If you do not appear in court a domestic violence order may be made in your absence. The court may issue a warrant for you to be taken into custody by a police officer and brought before the court if the court believes that it is necessary for you to be heard.

### Office Use Only

#### Court file number (if known):

YOU ARE NOTIFIED that this application will be heard at the time and place as follows:

Court:	<input type="text"/>
Place:	<input type="text"/>
Date:	<input type="text"/>
Time:	<input type="text"/>

Signature  
Clerk of the Court/Queensland Police Service

**The footnotes are to assist in the completion of the form and can be deleted once complete.**

Explanatory guides relating to making a statutory declaration in Queensland are available at [Statutory Declaration Forms - Datasets | Publications | Queensland Government](#).

<sup>1</sup> Insert the witness's capacity that makes them eligible to witness the statutory declaration, including as a special witness under section 16C or part 6A of the *Oaths Act 1867*. For example, Australian legal practitioner, lawyer, justice of the peace, commissioner for declarations, notary public, a justice of the peace or commissioner for declarations approved by the Chief Executive under section 12(2) of the *Oaths Act 1867*, government legal officer, etc.

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<sup>2</sup> For example, the name of the law practice for the Australian legal practitioner, the name of the government department of the government legal officer, the name of the law practice for a justice of the peace who witnesses documents for a law practice, etc.