



**Magistrates' Court
of Victoria**

Practice Direction 8 of 2014

**Exclusion Orders
(Summary Offences Act 1966)**

Purpose:

To provide directions on how to apply:

- for an Exclusion Order under section 6D of the *Summary Offences Act 1966*
- to vary or revoke an Exclusion Order under section 6H of the *Summary Offences Act 1966*.

Application for an Exclusion Order

- A member of Victoria Police must file a 'Notice of Application for an Exclusion Order' ('the notice') and an affidavit in support.
- The notice must contain:
 - A hearing date at least 14 days from the date of filing
 - A venue of the Magistrates' Court, being either the closest court to where the respondent resides or to the place the subject of the proposed order.
- Police must serve the respondent with the application as soon as practicable after the application is filed with the court.
- Prior to the hearing date, police must file an affidavit of service of the notice.

Applications to Vary/Revoke an Exclusion Order

- The applicant must file an 'Application to Vary/Revoke an Exclusion Order' (copy attached)
- A hearing date will listed at least 14 days from the date of filing of the application, unless otherwise directed by the court.
- The applicant must serve a copy of the application on the respondent to the application as soon as is practicable after the application is filed with the court.

This Practice Direction takes effect on November 3, 2014

Peter Lauritsen
Chief Magistrate

Date: 24 October 2014