

**Magistrates’ Court of Victoria**

**APPLICATION TO VARY/REVOKE PROHIBITION ORDER**

**Section 66ZH Sex Offenders Registration Act 2004**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | | | | | | | | | | | | | Court Reference: | | | | | |  | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| Applicant: | | |  | | | | | | | | | | | | | | |  | | | |
| Address: | | |  | | | | | | | | | | | | | | | | | | |
| Email: | | |  | | | | | | | | | | | | | Phone: | | | |  | |
| Capacity: | | |  | Victoria Police | | | | | |  | Offender *(must attach police consent or seek court leave)* | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| Respondent: | | |  | | | | | | | | | | | | | | | | | | |
| Address: | | |  | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| On |  | | | | | an \* Interim / Final Prohibition Order was made by the Magistrates’ Court at | | | | | | | | | | | | | | | |
|  | | | | | | I make application to \* Vary / Revoke this order. | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| **DETAILS OF VARIATIONS SOUGHT** *(Does not apply to Application to Revoke)* | | | | | | | | | | | | | | | | | | | | | |
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| **GROUNDS FOR MAKING THIS APPLICATION** – See Attached Affidavit | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| **ATTACHED DOCUMENT(S)** *(documents required to be attached to the application)* | | | | | | | | | | | | | | | | | | | | | |
|  | Affidavit setting out the grounds on which the variation / revocation of the prohibition order is sought | | | | | | | | | | | | | | | | | | | | |
|  | Victoria Police consent to application *(if applicable)* | | | | | | | | | | | | | | | | | | | | |
|  | If consent has not been obtained, you will need to apply for leave from court to make application. | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| Date: | |  | | | | | |  | | | | | |  | | | | | | | |
|  | |  | | | | | |  | | | | | | *(Signed) Applicant* | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| **LISTING OF APPLICATION** *(registrar to complete)* | | | | | | | | | | | | | | | | | | | | | |
| This application is listed for hearing before the Magistrates’ Court at | | | | | | | | | | | | | | |  | | | | | |  |
| at |  | | | | \* am / pm | | | | on *(date)* | | |  | | | | |  | | | | |
|  | | | | | | | | | | | |  | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| Date: | |  | | | | |  | | | | | | |  | | | | | | | |
|  | |  | | | | |  | | | | | | | *Registrar of the Magistrates’ Court* | | | | | | | |
| \* Delete if inapplicable | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| **IMPORTANT NOTES FOR APPLICANT:** | | | | | | | | | | | | | | | | | | | | | |
| You must serve a copy of this application as soon as practicable on the respondent. | | | | | | | | | | | | | | | | | | | | | |
| An affidavit/declaration of service must be completed and filed with the Court before the hearing. | | | | | | | | | | | | | | | | | | | | | |

**AFFIDAVIT / DECLARATION OF SERVICE OF PROHIBITION ORDER APPLICATION**

Sex Offenders Registration Act 2004

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| IN THE MAGISTRATES’ COURT | | | | | Court Reference: |  |
| OF VICTORIA | | | | | | |
| AT |  | | |  | | |
|  | | | | | | |
| BETWEEN | | |  | | |  |
| Plaintiff | | | | | | |
|  | | | | | | |
| OF | |  | | | | |
|  | | | | | | |
| and | | |  | | |  |
| Defendant | | | | | | |
|  | | | | | | |
| OF | |  | | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| Date of document: |  |  |  |
| Filed on behalf of: |  |  |  |
| Australian lawyer name: |  | Code: |  |
| Address: |  | Telephone: |  |
| Reference: |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| I |  | |  |  |
|  | *(full name of the person serving document)* | |  | *(occupation)* |
| of |  | | | |
|  | *(address)* | | | |
| \*make oath and say | | | | |
| \*affirm and say | | | | |
| \*declare that | | | | |
| I served a copy of the | | \*Application to Vary \*Interim / \*Final Prohibition Order | | |
|  | | \*Application to Revoke \*Interim / \*Final Prohibition Order | | |
|  | | \*Application to Vary Interstate Registration Order | | |
|  | | | | |
| on |  | | | |
|  | *(name of the person served with document)* | | | |

*(State all relevant information and facts regarding the service in numbered paragraphs which may include answers to the following:*

* *How did you identify the person you served and establish the person’s identity?*
* *Was the person you served the person named in the document/s to be served?*
* *At what time, day of the week and date did you serve the document/s on the person?*
* *Where was the person served the document/s? For example, was it at the residence or the business of the person?*
* *How was/were the document/s served on the person? For example, by hand or by post?)*

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| \*[*for affidavits*] The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offence of perjury. | | | | | | | |
|  | | | | | | | |
| \*[*for statutory declarations*] I declare that the contents of this statutory declaration are true and correct and I make it knowing that making a statutory declaration that I know to be untrue is an offence. | | | | | | | |
|  | | | | | | | |
| \*Sworn/Affirmed/Declared at *(place)* | | |  | | | |  |
|  | |  | | | | |  |
|  | | | | | | | |
| in the State of Victoria on *(date)* | |  | | | |  | |
|  | |  | | | | |  |
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|  | | | | |  | | |
| *(Signature of person making affidavit)* | | | | | | | |
|  | | | | | | | |
| Before |  | | |  | | | |
|  | *(Signature)* | | | | | | |
|  | | | | | | | |
|  |  | | | | | | |
|  | *(Name and address in legible writing, typing or stamp)* | | | | | | |
|  | | | | | | | |
| \*authorised under section 30(2) of the **Oaths and Affirmations Act 2018** to witness the signing of a statutory declaration. | | | | | | | |
| \*authorised under section 19(1) of the **Oaths and Affirmations Act 2018** to take an affidavit. | | | | | | | |