

RULES

SUPREME COURT ACT 1935
DISTRICT COURT ACT 1991
ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT ACT 1993
MAGISTRATES COURT ACT 1991
YOUTH COURT ACT 1993
SOUTH AUSTRALIA

Uniform Special Statutory (No 10) Amending Rules 2026

By virtue and in pursuance of the *Supreme Court Act 1935*, the *District Court Act 1991*, the *Environment, Resources and Development Court Act 1993*, the *Magistrates Court Act 1991* and the *Youth Court Act 1993*, and all other enabling powers, we, the Chief Justice of the Supreme Court, the Chief Judge of the District Court, the Senior Judge of the Environment, Resources and Development Court, the Chief Magistrate of the Magistrates Court, and the Judge of the Youth Court make the following *Uniform Special Statutory (No 10) Amending Rules 2026*.

1. These Rules may be cited as the *Uniform Special Statutory (No 10) Amending Rules 2026*.
2. The *Uniform Special Statutory Rules 2022* ('the Rules') are amended as set out below.
3. The amendments made by these rules come into effect on the later of—
 - (a) 1 April 2026; or
 - (b) the date of their publication in the Gazette.
4. In these Rules, the **commencement date** means the date on which these rules come into effect under rule 3.
5. Chapter 3, Part 13A (immediately above Part 13) is inserted as follows:

Part 13A—Declared street gangs: Supreme Court

Division 1—General

136.1—Scope of Part

This Part applies to all proceedings under Part 3BA of the *Criminal Law Consolidation Act 1935*.

136.2—Definitions

In this Part—

Act means the *Criminal Law Consolidation Act 1935*;

Group means the group the subject of an application under Section 83GI(1) or declaration under Section 84GK of the Act or a corresponding declaration.

Declared Street Gang means a group declared under Section 83GK of the Act

Division 2—Declarations

137.1—Application for declaration

- (1) An application under Section 83GI(1) of the Act for a declaration that a **group** be declared street gang must be—
 - (a) in the prescribed form that;
 - (i) identifies the particular **group** in respect of which the declaration is sought; and
 - (ii) describes the nature and any distinguishing characteristics of the **group**; and
 - (iii) sets out the grounds of the application; and

Note—

Where an existing Declared Street Gang order exists under Section 83GK of the Act, and the group the subject of this declaration is known by different identifying or distinguishing characteristics that was not included in the original application, the Commissioner of Police may make an application to the Court for a further declaration relating to this **group**. The latest application may reference details of an earlier application.

- (b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 4DSG Originating Application – Declared Street Gang

Form 7 Affidavit

- (2) The supporting affidavit must—

- (a) identify the **group** (by name or otherwise), its nature and its distinguishing characteristics;
- (b) depose to the facts forming the basis for the application;
- (c) verify the grounds of the application; and
- (d) identify any previous applications for a declaration in relation to the **group** and their outcome.

Note—

Section GJ(1) of the Act requires the Commissioner of Police to publish notice of the application in the Gazette and a newspaper circulating generally throughout the State. Further, to advise interested parties of their rights relating to making or providing submissions to the Court at the hearing of the application.

- (3) The Court may make an order joining a person as a party to the action or for the giving of notice of the action to a person or class of persons.

138.2—Inspection of documents

An application under Section 83GI(4)(d) of the Act for inspection of the originating application or supporting affidavit must be made—

- (a) by an interlocutory application and supporting affidavit which, unless the Court otherwise orders, must be filed not less than 7 days before the return date; or
- (b) by oral application at the hearing on the return date.

Note—

Section 83GI(4) of the Act requires the Commissioner of Police, subject to preserving confidentiality in criminal intelligence, to make a copy of an application and supporting affidavit available for inspection by a representative, member or former member of the group, person who may be directly affected by the outcome of the application and any other person whom the Court considers should be provided with an opportunity to inspect them.

138.3—Response and responding affidavit

An interested party—

- (a) who wishes to adduce evidence or make submissions in relation to the orders sought in an originating application must file a response in accordance with [rule 83.1 of the Uniform Civil Rules](#); and
- (b) who wishes to adduce evidence in relation to the orders sought in an originating application must file an affidavit in response in accordance with [rule 83.2 of the Uniform Civil Rules](#).

138.4—Hearing and determination

- (1) An application under Section 83GO(1) of the Act to make written submissions or under Section 83GO(4) of the Act to adduce evidence or cross-examine the deponent of an affidavit at the hearing of the application must be made—

- (a) by interlocutory application in the prescribed form and supported by an affidavit in the prescribed form, which, unless the Court otherwise orders, must be filed not less than 7 days before the return date; or

Prescribed forms—

Form 61 Interlocutory Application

Form 7 Affidavit

- (b) by oral application at the hearing on the return date.

Note—

Section 83GQ of the Act provides that the Court is not bound by the rules of evidence but may inform itself on any matter as it thinks fit and must act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms.

- (2) The Court may make a declaration under Section 83GK of the Act where there has been an application under Section 83GI of the Act.

Note—

Declaration made under Section 83GZI(1) of the Act, following application by the Director of Public Prosecutions, provides that during criminal proceedings, the court is satisfied beyond reasonable doubt that a group at a particular time met the criteria of a street gang, within the meaning of paragraph (a) of the definition of street gang in Section 83GH(1) of the Act.

- (3) A record of outcome of a declaration must be in the prescribed form.

Prescribed form—

Form 91 Record of Outcome

- (4) If the Court makes a declaration, the Court will issue a formal order in the prescribed form.

Prescribed form—

Form 92DSG Order

Note—

Section 83GL(1) of the Act requires the Commissioner of Police to publish notice of a declaration made under Division 2, in the Gazette, a newspaper circulating generally throughout the State and on a website maintained by the Commissioner

Division 3—Revocation

139.1—Application to revoke declaration

- (1) An application under Section 83GN(1) of the Act to revoke a declaration that a *group* is a declared street gang must be—

- (a) in the prescribed form; and
(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 111RD Interlocutory Application to Revoke Declaration

Form 7 Affidavit

Note—

Section 83GN(1) of the Act specifies who has standing to make an application.

- (2) The supporting affidavit must—
 - (a) identify the interest and standing of the person applying for revocation;
 - (b) depose to the facts forming the basis for the application;
 - (c) verify the grounds of the application; and
 - (d) identify any previous applications for revocation of the declaration in relation to the *declared street gang* and their outcome.
- (3) If it not an application made by the Commissioner of Police, they must be joined as the respondent.

Notes—

Section 83GN(3) of the Act requires the grounds and information supporting the grounds to be set out and verified by affidavit.

Section 83GN(4) requires the application and supporting affidavit, if not made by the Commissioner of Police, to be served on the Commissioner of Police.

139.2—Application for leave to make application

- (1) If leave is required under Section 83GN(1)(b)(iii) or Section 83GN(2) of the Act—
 - (a) the application must be made in the ordinary way in accordance with rule 139.1;
 - (b) the originating application must seek the necessary leave; and
 - (c) the application for leave must be supported by an affidavit deposing to the grounds on which leave is sought.

Notes—

Section 83GN(1)(b)(iii) of the Act specifies who has standing to apply for permission to make the application.

Section 83GN(2) provides that permission of the Court is required if a revocation application has been made within the preceding 12 months and been refused or not finally determined.

- (2) The Court may determine an application for leave in chambers on the basis of the supporting affidavit or make orders for its determination.
- (3) If an application seeking leave is filed under this rule—
 - (a) the revocation application is conditional on leave being granted; and
 - (b) if leave is refused, the revocation application lapses.

139.3—Hearing and determination

- (1) An application under Section 83GO(1) of the Act to make written submissions or under Section 83GO(4) of the Act to adduce evidence or cross-examine the deponent of an affidavit at the hearing of the application must be made—
 - (a) by interlocutory application in the prescribed form and supported by an affidavit in the prescribed form, which, unless the Court otherwise orders, must be filed not less than 7 days before the return date; or

Prescribed forms—

Form 61 Interlocutory Application

Form 7 Affidavit

- (b) by oral application at the hearing on the return date.

Note—

Section 83GQ of the Act provides that the Court is not bound by the rules of evidence but may inform itself on any matter as it thinks fit and must act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms.

- (2) A record of outcome of revocation must be in the prescribed form.

Prescribed form—

Form 114 Record of Outcome [Variation or Revocation]

- (3) If the Court makes a revocation order, the Court will issue a formal order in the prescribed form.

Prescribed form—

Form 115RD Order for Revocation

Note—

Section 83GN(7) requires the Commissioner of Police to publish notice of the application in the Gazette, a newspaper circulating generally throughout the State and make reasonable effort to notify in relation to the revocation any persons who made or provided submissions on the making of the declaration.

6. New Part 19 in Chapter 3—Preventative Control Measures inserted:

Part 19—Street gang control orders: Supreme Court and Youth Court

Division 1—General

168.1 —Scope of Part

This Part applies to all proceedings under Part 3AB of the *Criminal Law Consolidation Act 1935*.

168.2—Definitions

In this Part—

Act means the *Criminal Law Consolidation Act 1935*;

associate means a person alleged to be an associate of the subject for the purpose of Section 83GT(2)(b)(ii) or (c) of the Act;

street gang means the group the subject of a declaration under Section 83GK(1) of the Act or a corresponding declaration;

subject means the person who is the subject of a street gang control order or an application for a street gang control order under Section 83GT of the Act or a corresponding control order.

Division 2—Street gang control orders

169.1—Application for street gang control order

- (1) An application under Section 83GT(1) of the Act for a street gang control order must be—
- (a) in the prescribed form; and
 - (b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 1SG Originating Application – Street Gang Control Order

Form 7 Affidavit

- (2) The supporting affidavit must—

- (a) if the application is made under Section 83GT(2)(a) or (b)—identify the street gang;

- (b) if the application is made under Section 83GT(2)(b)(ii) or (c)—identify the associates of the subject;
 - (c) if the application is made under Section 83GT(2)(a) or (b)(i)—identify the nature of the subject's participation in the group;
 - (d) if the application is made under Section 83GT(2)(b)(ii)—identify the serious criminal activity engaged in;
 - (e) depose to the facts forming the basis of the application;
 - (f) verify the grounds of the application;
 - (g) identify any previous applications for a street gang control order against the subject and their outcome;
 - (h) address the following matters relevant to the exercise of the discretion to make a control order—
 - (i) the likelihood that the respondent will engage in serious criminal activity if they are not subject to an order;
 - (ii) if applicable, the reasons given by the court for making the relevant declaration in relation to the street gang;
 - (iii) the extent to which a control order might assist in preventing the subject from participating or further participating in a street gang;
 - (iv) the prior criminal record (if any) of the subject and any alleged associate;
 - (v) any legitimate reason the subject may have for associating with an associate; and
 - (vi) any other matter relevant to the exercise of discretion; and
 - (i) if an interim street gang control order is sought—depose to the facts on the basis of which the interim order is sought.
- (3) The application must be accompanied by a draft order in the prescribed form.
- Prescribed Form—**
Form 92SG Order—Street Gang Control Order
- (4) The applicant must join the subject as the respondent.
- (5) Subject to subrule (6), the applicant must serve a multilingual notice in the prescribed form at the same time as serving the originating application and supporting affidavit.
- Prescribed form—**
Form 21 Multilingual Notice
- (6) If the applicant applies for an interim street gang control order without notice under Section 83GU of the Act, the originating application, supporting affidavit, and draft order need not be served in the first instance.

169.2—Interim street gang control order

- (1) A record of outcome of an application for an interim street gang control order must be in the prescribed form.
- Prescribed form—**
Form 31 Record of Outcome (Interim Order)
- (2) If the Court makes an interim street gang control order without notice—
 - (a) the Court will issue a formal order and notice about objection in the prescribed form; and

- (b) the applicant must serve the interim street gang control order, together with the originating application, supporting affidavit, draft order, and multilingual notice in the prescribed form, on the subject as soon as practicable.

Prescribed forms—

Form 33SG Order (Interim)—Street Gang Control Order

Form 36C Multilingual Notice—Interim Order and Notice about Objection

- (3) If the Court makes an interim street gang control order with notice—

- (a) the Court will issue a formal order in the prescribed form; and
- (b) the applicant must serve the interim order on the subject as soon as practicable, which may be served at the subject's address for service if the subject has one.

Prescribed forms—

Form 33SG Order (Interim)—Street Gang Control Order

Notes—

Section 83GW of the Act requires the Commissioner to serve an interim variation order on the subject by personal service if the order was not made in the presence of the subject or their lawyer.

Section 83GZJ(3) provides for alternative service if a process server is unable to gain access to the respondent, at premises at which the process server has reasonable cause to believe that the person is present, for the purpose of effecting personal service.

Section 83GZJ(4) empowers the Court to make such orders as to service of an application, order or other document relating to a proceeding in the Court as it thinks fit.

Section 83GZA(3) of the Act requires that where the subject of a street gang control order is a child, the Commissioner must give written notice of the making of an order or variation or revocation of an order to a parent or guardian of the child, or if unable to after making reasonable attempts, any other prescribed person or person of a prescribed class.

169.3—Objection when interim order made without notice

- (1) A notice of objection under Section 83GX of the Act to an interim order made without notice must be in the prescribed form.

Prescribed form—

Form 63 Notice of Objection

Note—

Section 83GX(3) of the Act requires that the Commissioner of Police be served with the notice of objection by registered post.

- (2) An application for an extension of time in which to lodge a notice of objection must be made by interlocutory application in the prescribed form and supported by an affidavit in the prescribed form.

Prescribed forms—

Form 61 Interlocutory Application

Form 7 Affidavit

Note—

Section 83GX(2) of the Act requires a notice of objection to be lodged within 14 calendar days of service of the interim street gang control order or such longer period as the court may allow.

169.4—Hearing and determination of street gang control order application

- (1) A record of outcome on an application for a street gang control order must be in the prescribed form.

Prescribed form—

Form 91 Record of Outcome

- (2) If the Court makes a street gang control order, the Court will issue a formal order in the prescribed form—

Prescribed Form—

Form 92SG Order—Street Gang Control Order

- (3) If the Court makes a street gang control order, unless the subject is present in court when the order is made, the applicant must serve the order on the subject as soon as practicable.

Notes—

Section 83GV(1)(b) and (2) of the Act require the Commissioner to serve a control order on the respondent by personal service if the order was not made in the presence of the respondent or their lawyer.

Section 83GZJ(3) provides for alternative service if a process server is unable to gain access to the respondent, at premises at which the process server has reasonable cause to believe that the person is present, for the purpose of effecting personal service.

Section 83GZJ(4) empowers the Court to make such orders as to service of an application, order or other document relating to a proceeding in the Court as it thinks fit.

Section 83GZA(3) of the Act requires that where the subject of a street gang control order is a child, the Commissioner must give written notice of the making of an order or variation or revocation of an order to a parent or guardian of the child, or if unable to after making reasonable attempts, any other prescribed person or person of a prescribed class.

Division 3—Variation and revocation**170.1—Application to vary or revoke street gang control order**

- (1) An application under Section 83GW(1) of the Act to vary, or revoke a street gang control order must be—

- (a) in the prescribed form; and
(b) supported by an affidavit in the prescribed form.

Prescribed forms—

Form 111SG Originating Application to Vary or Revoke Order—Street Gang Control Order

Form 7 Affidavit

- (2) The supporting affidavit must—

- (a) depose to the facts forming the basis for the application; and
(b) if an interim variation order is sought—
(i) set out the grounds for seeking an interim variation order; and
(ii) set out whether the interim variation order is sought without notice and if so the grounds and whether it is sought to defer service of the originating application until the hearing and determination of the application for an interim order.

- (3) If a variation is sought, the application must be accompanied by a draft order in the prescribed form.

Prescribed form—

Form 115SG Order for Variation or Revocation—Street Gang Control Order

- (4) If an interim variation is sought, the application must be accompanied by a draft order in the prescribed form.

Prescribed form—

Form 116SG Order for Interim Variation – Street Gang Control Order

- (5) The applicant must join the respondent—
- (a) if the applicant is the subject—the Commissioner of Police; and
 - (b) if the applicant is the Commissioner of Police—the subject.
- (6) Subject to subrule (7), if the applicant is the Commissioner of Police, the applicant must serve a multilingual notice in the prescribed form on the subject at the same time as serving the originating application and supporting affidavit.

Prescribed form—

Form 113A Multilingual Notice—Variation or Revocation of Order

- (7) If the applicant applies for an interim variation order without notice under Section 83GW(5) of the Act, the originating application and supporting affidavit need not be served on the respondent in the first instance.
- (8) An application to vary or revoke an interim street gang control order is to be made on the prescribed form.

Prescribed forms—

Form 61 Interlocutory Application

170.2—Application for leave to make application

- (1) If leave is required under Section 83GW(2) of the Act—
- (a) the application must be made in the ordinary way in accordance with rule 170.1;
 - (b) the application must seek the necessary leave; and
 - (c) the application for leave must be supported by an affidavit deposing to the grounds on which leave is sought.

Note—

Section 83GW(2) of the Act provides that permission of the of the Court is required if the application is made by the respondent. Under rule 2.4, a statutory reference to permission is equivalent to a reference in these Rules to 'leave'.

- (2) The Court may determine an application for leave in chambers on the basis of the supporting affidavit or make orders for its determination.
- (3) If an originating application seeking leave is filed under this rule—
- (a) the revocation or variation application is conditional on leave being granted; and
 - (b) if leave is refused, the application lapses.

170.3—Hearing and determination of interim variation order application

- (1) A record of outcome of an application for an interim variation order must be in the prescribed form.

Prescribed form—

Form 31 Record of Outcome (Interim Order)

- (2) If the Court makes an interim variation order without notice—
- (a) the Court will issue a formal order in the prescribed form; and

- (b) the applicant must serve the interim order, together with the originating application, supporting affidavit, and a multilingual notice in the prescribed form on the subject as soon as practicable.

Prescribed form—

Form 116SG Order for Interim Variation – Street Gang Control Order

Form 36C Multilingual Notice – Interim Order and Notice about Objection

- (3) If the Court makes an interim variation order with notice—

- (a) the Court will issue a formal order in the prescribed form; and
(b) the applicant must serve the interim order on the respondent as soon as practicable.

Prescribed form—

Form 116SG Order for Interim Variation – Street Gang Control Order

Notes—

Section 83GW(8) of the Act requires the Commissioner to serve an interim variation order on the subject by personal service if the order was not made in the presence of the subject or their lawyer.

Section 83GZJ(3) provides for alternative service if a process server is unable to gain access to the respondent, at premises at which the process server has reasonable cause to believe that the person is present, for the purpose of effecting personal service.

Section 83GZJ(4) empowers the Court to make such orders as to service of an application, order or other document relating to a proceeding in the Court as it thinks fit.

Section 83GZA(3) of the Act requires that where the subject of a street gang control order is a child, the Commissioner must give written notice of the making of an order or variation or revocation of an order to a parent or guardian of the child, or if unable to after making reasonable attempts, any other prescribed person or person of a prescribed class.

170.4—Objection when interim variation order made without notice

- (1) A notice of objection under Section 83GX of the Act to an interim variation order made without notice must be made by filing a notice of objection in the prescribed form.

Prescribed form—

Form 63 Notice of Objection

Note—

Section 83GX(3) of the Act requires that the Commissioner of Police be served with the notice of objection by registered post.

- (2) An application for an extension of time to lodge a notice of objection must be made by interlocutory application in the prescribed form and supported by an affidavit in the prescribed form.

Prescribed form—

Form 61 Interlocutory Application

Form 7 Affidavit

Note—

Section 83X(2) of the Act requires a notice of objection to be lodged within 14 calendar days of service of the interim variation order or such longer period as the Court may allow.

170.5—Hearing and determination of variation or revocation application

- (1) A record of outcome of an application for a variation or revocation order must be in the prescribed form.

Prescribed form—

Form 114 Record of Outcome [Variation or Revocation]

- (2) If the Court makes a variation or revocation order, the Court will issue a formal variation or revocation order in the prescribed form.

Prescribed form—

Form 115SG Order for Variation or Revocation—Street Gang Control Order

- (3) If the Court makes a revocation or variation order on the application of the Commissioner of Police, unless the subject is present in court when the order is made, the applicant must serve the order on the subject as soon as practicable.

Notes—

Section 83GW(8) of the Act requires the Commissioner to serve an interim variation order on the subject by personal service if the order was not made in the presence of the subject or their lawyer.

Section 83GZJ(3) provides for alternative service if a process server is unable to gain access to the respondent, at premises at which the process server has reasonable cause to believe that the person is present, for the purpose of effecting personal service.

Section 83GZJ(4) empowers the Court to make such orders as to service of an application, order or other document relating to a proceeding in the Court as it thinks fit.

Section 83GZA(3) of the Act requires that where the subject of a street gang control order is a child, the Commissioner must give written notice of the making of an order or variation or revocation of an order to a parent or guardian of the child, or if unable to after making reasonable attempts, any other prescribed person or person of a prescribed class.

7. Schedule 1 amended to include new Forms under the respective headers:

1—Origination

Form 1SG Originating Application—Street Gang Control Order

Form 4SG Originating Application—Declared Street Gang

3—Interim Order

Form 33SG Order (Interim)—Street Gang Control Order

7—Final Order

Form 92DSG Order—Declaration

Form 92SG Order—Street Gang Control Order

9—Variation

Form 111RD Originating Application to Revoke Declaration

Form 111SG Originating Application to Vary or Revoke Order—Street Gang Control Order

Form 115RD Order for Revocation

Form 115SG Order for Variation or Revocation—Street Gang Control Order

Form 116SG Order for Interim Variation—Street Gang Control Order

8. In Schedule 1, Form 1SG Originating Application—Street Gang Control Order, is inserted:

Form 1SG

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p>
<p>Hearing Location:</p>

ORIGINATING APPLICATION—STREET GANG CONTROL ORDER

s 83GT Criminal Law Consolidation Act 1935

[SUPREME/YOUTH] Select one COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[FULL NAME]

Applicant

[FULL NAME]

Respondent

Duplicate panel if multiple Applicants

Applicant	Full Name			
Name of law firm/solicitor <small>if any</small>	Law Firm	Responsible Solicitor		
Address for service	Street Address (including unit or level number and name of property if required)			
	City/town/suburb	State	Postcode	Country
	Email address			
Phone Details	Type (eg. home; work; mobile) - Number		Another number (optional)	

Duplicate panel if multiple Respondents

Respondent	Full Name			
Address	Street Address (including unit or level number and name of property if required)			
	City/town/suburb	State	Postcode	Country
	Email address			
Phone Details	Type (eg. Home; work; mobile) - Number		Another number (optional)	

Next box to only appear if applicable

Duplicate panel if multiple Interested Parties

Interested Party	Full Name			
Address	Street Address (including unit or level number and name of property if required)			
	City/town/suburb	State	Postcode	Country
	Email address			
Phone Details	Type (eg. Home; work; mobile) – Number		Another number (optional)	

Application Details

Matter type: Special Jurisdiction

This Application is for a Street Gang Control Order.

This Application is made under Section 83GT of the Criminal Law Consolidation Act 1935.

The Applicant seeks the following orders prohibiting the Respondent from:

Orders sought in separately numbered paragraphs.

- 1. associating with [a specified person/persons of a specified class]
- 2. holding an authorisation to carry on a prescribed activity while the control order remains in force
- 3. being present at, or being within a specified distance of, [a specified place or premises/a place or premises of a specified class]
- 4. possessing a [specified article or weapon/articles or weapons of a specified class].
- 5. carrying on [his/her/their] person more than [specified amount] in cash.
- 6. using for communication purposes, or being in possession of, a telephone, mobile phone, computer or other communication device except for [record exceptions].
- 7. engaging in [other conduct of a specified kind that the Court considers could be relevant to the commission of serious offences].

This Application is made on the grounds

- set out in the accompanying Affidavit sworn by [name] on [date].
- (a) that the Respondent is a participant in a street gang; or

- (b) that the Respondent—
- (i) has been a participant in a group that is, at the time of the application a declared street gang; and
 - (ii) associates with 1 or more participants in a street gang and that the making of the order is appropriate in the circumstances; or
- (c) that the Respondent has engaged in serious criminal activity with 1 or more participants in a street gang, and that the making of the order is appropriate in the circumstances.

If applicable – if the Applicant is the Commissioner of Police

- The Applicant seeks that this order be made on an interim basis:
- with notice to the Respondent.
 - without notice to the Respondent.

If applicable

The Application is urgent because

grounds in separately numbered paragraphs where more than one

1.

If applicable

Extension of time

The Applicant seeks an extension of time to institute this action pursuant to

Act and Section or other particular provision

The grounds for seeking an extension are set out in the accompanying Affidavit.

Declaration of Street Gang if applicable- required only if a Declaration has been made

[Group Name] was declared a Street Gang on [date] under Section 83GK of the *Criminal Law Consolidation Act 1935* in case number [Court file number].

Ethnicity of Person the subject of this Application

Is the person Aboriginal or Torres Strait Islander?

- Yes
- Aboriginal
 - Torres Strait Islander
 - Both
- No

(Other – please specify)

To the Other Parties: WARNING

This Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application or make submissions about it:

- you must attend the hearing; and
- if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you must file and serve on all parties an Affidavit within 14 days after service of the Application.

If you do not do so, the Court may proceed in your absence and orders may be made **finally determining** this proceeding without further warning.

For instructions on how to obtain access to the file, visit <https://courtsa.courts.sa.gov.au/?g=node/482>.

Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.

Accompanying Documents

Accompanying this Application is a:

- Multilingual Notice mandatory
- Supporting Affidavit mandatory
- Copy of Declaration mandatory if there is a relevant Declaration made under Section 83GK of the Criminal Law Consolidation Act 1935
- Notice to Respondent Served Interstate mandatory when address of party to be served is interstate
- Notice to Respondent Served in New Zealand mandatory when address of party to be served is in NZ
- Notice to Respondent Served outside Australia mandatory when address of party to be served is overseas & not in NZ
- If other additional document(s) please list below:

9. In Schedule 1, Form 4SG Originating Application—Declared Street Gang, is inserted:

Form 4DSG

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p>
<p>Hearing Location:</p>

ORIGINATING APPLICATION – DECLARED STREET GANG

SUPREME COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[FULL NAME]

Applicant

Applicant	Full Name		
Name of law firm/ solicitor If any	Law Firm	Responsible Solicitor	
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type - Number		

<p>Application Details</p> <p>Matter Type: Special Jurisdiction</p> <p>This Application is made under Section 83GI of the <i>Criminal Law Consolidation Act 1935</i> that [set out name or identity of group], which has</p> <p>(a) the following nature, namely [set out nature] and the following distinguishing characteristics, namely [set out characteristics]</p> <p>is a street gang and a declaration be made under Section 83GK of the <i>Criminal Law Consolidation Act 1935</i>.</p> <p>An existing/revoked Declared Street Gang order relating to this group was made on [case number] on [date]. <small>Delete if not applicable</small></p>

The Applicant seeks the following orders:

Orders sought in separately numbered paragraphs.

1.

This Application is made on the grounds set out in the accompanying Affidavit sworn by *[name]* on *[date]*. The Affidavit must set out and verify the grounds and information supporting the grounds on which the declaration is sought and other matters set out in Section 83GI(2)(b) to (f) of the *Criminal Law Consolidation Act 1935*.

Accompanying Documents

Accompanying service of this Application is a:

- Supporting Affidavit (mandatory) (must be filed and served)
- Multilingual Notice (mandatory)
- If other additional document(s) please list them below:

10. In Schedule 1, Form 33SG Order (Interim)—Street Gang Control Order, is inserted:

Form 33SG

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p>
<p>Hearing Location:</p>

ORDER (INTERIM) – STREET GANG CONTROL ORDER

s 83GT, s 83GU, s 83GX *Criminal Law Consolidation Act 1935*

[*SUPREME/YOUTH*] Select one COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]

Applicant

[*FULL NAME*]

Respondent

<p>Introduction</p> <p>Remarks</p> <p>The Court is satisfied that:</p> <p><input type="checkbox"/> (a) the Respondent is a participant in a street gang; or</p> <p><input type="checkbox"/> (b) the Respondent—</p> <p style="padding-left: 40px;">(i) has been a participant in a group that is, at the time of the application, a declared street gang; and</p> <p style="padding-left: 40px;">(ii) associates with 1 or more participants in a street gang and that the making of the order is appropriate in the circumstances; or</p> <p><input type="checkbox"/> (c) the Respondent has engaged in serious criminal activity with 1 or more participants in a street gang, and that the making of the order is appropriate in the circumstances.</p>
--

<p>Order</p> <p>Date of Order: [date]</p> <p>Terms of Order</p> <p>It is ordered that:</p> <p><small>Orders in separately numbered paragraphs.</small></p>

- 1. The Respondent is prohibited from associating with [names of persons/persons of a certain class] under Section 83GT(5) of the Criminal Law Consolidation Act 1935.
- 2. The Respondent is prohibited from holding an authorisation to [carry out a prescribed activity (as defined by the Regulations)] while the street gang control order remains in force.
- 3. The Respondent is prohibited from being present at, or being within a specified distance of, [a specified place or premises or a place or premises of a specified class].
- 4. The Respondent is prohibited from possessing [a specified article or weapon, or articles or weapons of a specified class].
- 5. The Respondent is prohibited from carrying on [his/her/their] person more than a [specified amount] in cash.
- 6. The Respondent is prohibited from, using for communication purposes, or being in possession of, a telephone, mobile phone, computer or other communication device except for [record exceptions].
- 7. The Respondent is prohibited from engaging in [other conduct of a specified kind that the Court considers could be relevant to the commission of serious offences].
- 8. If the Court prohibits a respondent from holding an authorisation to carry on a prescribed activity [further prohibition in relation to the conduct of the activity to which the authorisation relates].
- 9. The interim control order remains in force until [date/it is revoked]. Period cannot exceed 6 months
- 10. The interim control order made on [date] is substituted by this order.
- 11. [other]

To the Respondent: WARNING**Right to object:** Section 83GX of the Criminal Law Consolidation Act 1935

If you are the Respondent in this matter and you were not served with the Originating Application, you may lodge a Notice of Objection with the Court within 14 days of being served with this order. A form of Notice of Objection may be obtained from the Registry of the Court. You must serve a copy of the Notice on the Commissioner of Police by registered post.

The grounds of the objection must be stated fully and in detail in the Notice of Objection.

Contravention of order: Section 83GZB of the Criminal Law Consolidation Act 1935

If you disobey this order, you will be liable to a **term of [imprisonment/detention] not exceeding 5 years.**

Accompanying Documents (if applicable)

Only required if interim order made without notice to Respondent/subject of order.

Accompanying this Interim Order is a:

- Multilingual Notice mandatory if Interim Order made without notice to Respondent
- Originating Application and Supporting Affidavit mandatory if Interim Order made without notice to Respondent
- if applicable [identify additional documents]

Authentication

.....

Signature of Court Officer

[title and name]

11. In Schedule 1, Form 92DSG Order—Declaration, is inserted:

Form 92DSG

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
--

ORDER—DECLARED STREET GANG

SUPREME COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[FULL NAME]

Applicant

<p>Order</p> <p>Date of Order: [date]</p> <p>Orders</p> <p>It is ordered that:</p> <p><small>Orders in separately numbered paragraphs.</small></p> <ol style="list-style-type: none"> 1. [Group name] is a declared street gang within the meaning of Part 3BA Division 2 of the Criminal Law Consolidation Act 1935. 2. This declaration remains in force unless and until it is revoked in accordance with Part 3BA Division 2 of the Criminal Law Consolidation Act 1935.

<p>Authentication</p> <p>.....</p> <p>Signature of Court Officer</p> <p>[title and name]</p>

12. In Schedule 1, Form 92SG Order—Street Gang Control Order, is inserted:

Form 92SG

To be inserted by Court

Case Number:

Date Filed:

FDN:

ORDER—STREET GANG CONTROL ORDER AND ACKNOWLEDGEMENT

s 83GT Criminal Law Consolidation Act 1935

[*SUPREME/YOUTH*] Select one COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

Commissioner of Police

Applicant

[*FULL NAME*]

Respondent

Introduction

Remarks

The Court is satisfied that:

- (a) the Respondent is a participant in a street gang; or
- (b) the Respondent—
- (i) has been a participant in a group that is, at the time of the application, a declared street gang; and
- (ii) associates with 1 or more participants in a street gang and that the making of the order is appropriate in the circumstances; or
- (c) the Respondent has engaged in serious criminal activity with 1 or more participants in a street gang,
- and that the making of the order is appropriate in the circumstances.

Order

Date of Order: [date]

Terms of Order

It is ordered that:

Orders in separately numbered paragraphs.

1. The Respondent is prohibited from associating with [names of persons/persons of a certain class] under Section 83GT(5) of the Criminal Law Consolidation Act 1935.

- 2. The Respondent is prohibited from holding an authorisation to [carry out a prescribed activity (as defined by the Regulations)] while the street gang control order remains in force.
- 3. The Respondent is prohibited from being present at, or being within a specified distance of, [a specified place or premises or a place or premises of a specified class].
- 4. The Respondent is prohibited from possessing [a specified article or weapon, or articles or weapons of a specified class].
- 5. The Respondent is prohibited from carrying on [his/her/their] person more than a [specified amount] in cash.
- 6. The Respondent is prohibited from, using for communication purposes, or being in possession of, a telephone, mobile phone, computer or other communication device except for [record exceptions].
- 7. The Respondent is prohibited from engaging in [other conduct of a specified kind that the Court considers could be relevant to the commission of serious offences].
- 8. If the Court prohibits a respondent from holding an authorisation to carry on a prescribed activity [further prohibition in relation to the conduct of the activity to which the authorisation relates].
- 9. The street gang control order remains in force until [date/it is revoked].
- 10. [Other]

To the Respondent: WARNING

Contravention of order: Section 83GZB of the Criminal Law Consolidation Act 1935

If you disobey this order, you will be liable to **a term of imprisonment not exceeding 5 years.**

Authentication

.....

Signature of Judicial Officer

[title and name]

Acknowledgement by Respondent

I acknowledge that I have received a copy of this order. I understand its conditions, and I understand what will happen if I fail to obey these conditions.

.....

Signature of Respondent

.....

Name printed

Witness

.....

Signature of authorised witness

witness must be the Judicial Officer making order, the registrar or deputy registrar of a Court, a justice of the peace, a police officer of or above the rank of sergeant or the responsible officer for a police station, the manager of a training centre if the Defendant is in a training centre, the person in charge of a prison if the Defendant is in a prison, or a delegate of any of these persons or any other person or class of persons specified by the Court

next item not displayed if witness is Judicial Officer making order

.....

Printed name and title of witness stamp here if applicable

.....

Date

13. In Schedule 1, Form 111RD Originating Application to Revoke Declaration, is inserted:

Form 111RD

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p> <p>Hearing Location:</p>

ORIGINATING APPLICATION TO REVOKE DECLARATION

SUPREME COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[FULL NAME]

Applicant

Applicant	Full Name		
Name of law firm/solicitor If any	Law Firm	Responsible Solicitor	
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Number	Alternative number (optional)	

Application details

Matter type: Special Jurisdiction

Original Case Number: *[Enter original case number]*

This Application is to revoke Declared Street Gang order made under Section 83GI of the *Criminal Law Consolidation Act 1935*.

The applicant seeks the following orders:

1. Order made on *[date]* is revoked under Section 83GN(6) of the *Criminal Law Consolidation Act 1935*.
2. Any other orders sought

To the Respondent: WARNING

This Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application or make submissions about it:

- you must attend the hearing; and
- if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you must file and serve on all parties an Affidavit within 14 days after service of the Application.

If you do not do so, the Court may proceed **in your absence** and **orders may be made against you** without further warning.

For instructions on how to obtain access to the file, visit <https://courtsa.courts.sa.gov.au>

Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.

Accompanying documents

Accompanying this Application is a:

- Supporting Affidavit mandatory
- Original order mandatory
- If other additional document(s) please list below

14. In Schedule 1, Form 111SG Originating Application to Vary or Revoke Order—Street Gang Control Order, is inserted:

Form 111SG

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p>
<p>Hearing Location:</p>

ORIGINATING APPLICATION TO VARY OR REVOKE ORDER

s 83GW Criminal Law Consolidation Act 1935

[SUPREME/YOUTH] Select one COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[FULL NAME]

Applicant

[FULL NAME]

Respondent

Applicant	Full Name		
Name of law firm/solicitor <small>If any</small>	Law Firm	Responsible Solicitor	
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Number	Alternative number (optional)	

Respondent	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Number	Alternative number (optional)	

Application details

Matter type: Special Jurisdiction

Original Case Number: [Enter original case number]

This Application is for [variation/revocation] of a street gang control order.

This Application is made under s 83GW of the *Criminal Law Consolidation Act 1935*.

The applicant seeks the following orders:

Enter orders in numbered paragraphs

1. The following conditions of the Street Gang Control Order made on [date] [Court file number] by [Judicial Officer], the order commencing on [date] be varied:
provision for multiple [details of variation]
2. The following conditions of the Street Gang Control Order made on [date] [Court file number] by [Judicial Officer], the order commencing on [date] be varied on an interim basis:
provision for multiple [details of variation]
3. The Street Gang Control Order made on [date] [Court file number] by [Judicial Officer], the order commencing on [date] be revoked.
4. [any other orders sought]

This Application is made on the grounds

- set out in the accompanying Affidavit sworn by [Enter name] on [Enter date].
- that:

Enter grounds in numbered paragraphs

Only complete if applicable otherwise delete

The Applicant seeks that an interim variation order be made without notice on the grounds

- set out in the accompanying Affidavit sworn by [Enter name] on [Enter date].
- that:

Provision for grounds in numbered paragraphs

Only complete if applicable otherwise delete – applicable if the Applicant is the subject of the street gang control order

The Applicant seeks leave to make this application on the grounds

- set out in the accompanying Affidavit sworn by [Enter name] on [Enter date].
- that:

Provision for grounds in numbered paragraphs

Only complete if applicable otherwise delete

This Application is urgent on the grounds

- set out in the accompanying Affidavit sworn by [Enter name] on [Enter date].
- that:

Enter grounds in numbered paragraphs

1.

Declaration of Street Gang if applicable- required only if a Declaration has been made

[Group Name] was declared a Street Gang on [date] under Section 83GK of the *Criminal Law Consolidation Act 1935* in case number [Court file number].

To the Respondent: WARNING

This Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application or make submissions about it:

- you must attend the hearing; and
- if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you must file and serve on all parties an Affidavit within 14 days after service of the Application.

If you do not do so, the Court may proceed **in your absence** and **orders may be made against you** without further warning.

For instructions on how to obtain access to the file, visit <https://courtsa.courts.sa.gov.au/?g=node/482>

Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.

Accompanying documents

Accompanying this Application is a:

- Supporting Affidavit mandatory
- Multilingual Notice mandatory if Applicant is Commissioner of Police
- Copy of Declaration mandatory if there is a relevant Declaration made under Section 83GK of the Criminal Law Consolidation Act 1935
- If other additional document(s) please list below:

15. In Schedule 1, Form 115RD Order for Revocation, is inserted:

Form 115RD

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
--

ORDER—REVOKE DECLARATION

SUPREME COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[FULL NAME]

Applicant

<p>Order</p> <p>Date of Order: [date]</p> <p>Orders</p> <p>It is ordered that:</p> <p>Declaration made on [date] under Part 3BA Division 2 of the Criminal Law Consolidation Act 1935, on case [case file number] is revoked.</p>

<p>Authentication</p> <p>.....</p> <p>Signature of Court Officer</p> <p>[title and name]</p>

16. In Schedule 1, Form 115SG Order for Variation or Revocation—Street Gang Control Order, is inserted:

Form 115SG

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
--

ORDER FOR VARIATION OR REVOCATION – STREET GANG CONTROL ORDER

s 83GW Criminal Law Consolidation Act 1935

[*SUPREME/YOUTH*] Select one COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]

Applicant

[*FULL NAME*]

Respondent

<p>Order</p> <p>Date of Order: [date]</p> <p>Terms of Order It is ordered that:</p> <p><small>Orders in separately numbered paragraphs.</small></p> <p><input type="checkbox"/> 1. The following conditions of the Street Gang Control Order made on [date] [Court case number] by [Judicial Officer], be varied.</p> <ul style="list-style-type: none"> • <small>provision for multiple</small> [details of variation]. <p><input type="checkbox"/> 2. The entire Street Gang Control Order made on [date] [Court case number] by [Judicial Officer], be revoked.</p> <p><input type="checkbox"/> 3. [other orders].</p>

<p>To the Respondent: WARNING</p> <p>Contravention of order: Section 83GZB of the Criminal Law Consolidation Act 1935</p> <p>If you disobey this order, you will be liable to a term of imprisonment not exceeding 5 years.</p> <p>Not applicable if order is revoked.</p>

<p>Authentication</p> <p>.....</p> <p>Signature of Court Officer</p> <p>[title and name]</p>

17. In Schedule 1, Form 116SG Order for Interim Variation—Street Gang Control Order, is inserted:

Form 116SG

<p>To be inserted by Court</p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p>Hearing Date and Time:</p> <p>Hearing Location:</p>

ORDER FOR INTERIM VARIATION – STREET GANG CONTROL ORDER

S 83GT, s 83GW *Criminal Law Consolidation Act 1935*

[*SUPREME/YOUTH*] Select one COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]

Applicant

[*FULL NAME*]

Respondent

<p>Introduction</p> <p>Remarks</p> <p>1. The Court is satisfied that:</p> <p><input type="checkbox"/> (a) it appears that there are grounds for issuing an interim variation order;</p> <p><input type="checkbox"/> (b) [other matters]</p> <p>2. [other matters]</p>

<p>Order</p> <p>Date of Order: [date]</p> <p>Terms of Order</p> <p>It is ordered that:</p> <p><small>Orders in separately numbered paragraphs.</small></p> <p>1. The Street Gang Control Order made on [date] be varied on an interim basis pursuant to Section 83GW of the Criminal Law Consolidation Act 1935 so that the conditions are set out below.</p> <p><input type="checkbox"/> 2. The Respondent is prohibited from associating with [names of persons/persons of a certain class] under Section 83GT(5) of the Criminal Law Consolidation Act 1935.</p> <p><input type="checkbox"/> 3. The Respondent is prohibited from holding an authorisation to [carry out a prescribed activity (as defined by the Regulations)] while the street gang control order remains in force.</p>

- 4. The Respondent is prohibited from being present at, or being within a specified distance of, [a specified place or premises or a place or premises of a specified class].
- 5. The Respondent is prohibited from possessing [a specified article or weapon, or articles or weapons of a specified class].
- 6. The Respondent is prohibited from carrying on [his/her/their] person more than a [specified amount] in cash.
- 7. The Respondent is prohibited from, using for communication purposes, or being in possession of, a telephone, mobile phone, computer or other communication device except for [record exceptions].
- 8. The Respondent is prohibited from engaging in [other conduct of a specified kind that the Court considers could be relevant to the commission of serious offences].
- 9. If the Court prohibits a respondent from holding an authorisation to carry on a prescribed activity [further prohibition in relation to the conduct of the activity to which the authorisation relates].
- 10. The interim control order remains in force until [date/it is revoked].
- 11. [other orders].

To the Respondent: WARNING

Right to object: Section 83GX of the Criminal Law Consolidation Act 1935

If you are the Respondent in this matter and you were not served with the Originating Application, you may lodge a Notice of Objection with the Court within 14 days of being served with this order. A form of Notice of Objection may be obtained from the Registry of the Court. You must serve a copy of the Notice on the Commissioner of Police by registered post.

The grounds of the objection must be stated fully and in detail in the Notice of Objection.

Contravention of order: Section 83GZB of the Criminal Law Consolidation Act 1935

If you disobey this order, you will be liable to **a term of [imprisonment/detention] not exceeding 5 years.**

Accompanying Documents (if applicable)

Only required if interim variation order made without notice to Respondent/subject of order.

Accompanying this Interim Order is a:

- Multilingual Notice** mandatory if Interim Variation Order made without notice to Respondent
- Originating Application and Supporting Affidavit** mandatory if Interim Variation Order made without notice to Respondent
- if applicable [identify additional documents]

Authentication

.....

Signature of Court Officer

[title and name]

18. Schedule 1 Form 92Y Firearms Act—Firearms Order substituted with the following:

Form 92Y

To be inserted by Court

Case Number:

Date Filed:

FDN:

ORDER—FIREARMS ORDER

[*SUPREME/DISTRICT/MAGISTRATES/YOUTH*] Select one COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

[*FULL NAME*]

Applicant

[*FULL NAME*]

Respondent

Introduction

Remarks

The Court is satisfied that:

- (a) a firearm was used in the commission of an offence
- (b) the commission of an offence was facilitated by the use of a firearm
- (c) in the circumstances it is expedient that an order be made under Section 180 of the Criminal Procedure Act 1921
- (d)

Order

Date of Order: [date]

Terms of Order

Pursuant to Section 180 of the Criminal Procedure Act 1921, it is ordered that:

Orders in separately numbered paragraphs.

- 1. [description of firearm/ammunition/firearm part/sound/moderator/restricted firearms mechanism] in the Respondent's possession be [description of manner of disposal directed by Court].
- 2. the firearms licence [licence number] held by the Respondent is:
 - subject to the following conditions:
 - provision for multiple [description of condition].
 - suspended until [date/further order].
 - cancelled.
- 3. the Respondent is disqualified from holding or obtaining a licence until [date/further order].
- 4. the Respondent is subject to a Firearms Prohibition Order within the meaning of Section 45 of the Firearms Act 2015 until further order.

5. optional if order 4 selected above [set out any exemptions to the Firearms Prohibition Order] see the Firearms Act 2015 s 45(17)
6. [other].

Next box only to appear if Firearms Prohibition Order

Firearm Prohibition Conditions

Subject to any exemptions set out above or in a notice in writing from the Registrar of Firearms, the following conditions are conditions of a Firearm Prohibition Order under Section 45 of the Firearms Act 2015.

1. Any licence or permit under the Firearms Act 2015 held by the Respondent is suspended while the Firearm Prohibition Order is in force.
2. The Respondent must not acquire, possess or use a firearm (e.g. guns), a firearm part, a sound moderator or ammunition.
3. The Respondent must immediately surrender (hand in) to the Registrar of Firearms any and all firearms (e.g. guns), firearm parts, sound moderators and ammunition owned by them or in their possession.
4. The Respondent must not be present at:
 - a. the grounds of a firearms club, paintball operator or the range of a commercial range operator;
 - b. a shooting gallery;
 - c. an arms fair;
 - d. a place where a person carries on the business of repairing, modifying or testing firearms (e.g. guns), firearm parts or ammunition, or buying, selling or hiring out firearms, firearm parts or ammunition;
 - e. a place where a person manufactures a firearm, firearm part, or sound moderator;
 - f. a place where a person carries on the business of refurbishing firearms; or
 - g. any other place of a kind prescribed by Regulation.
5. The Respondent must not become or remain a member of a firearms club.
6. The Respondent must not be in the company of a person who has physical possession or control of a firearm (e.g. guns).
7. The Respondent must not be present or reside at premises on which there is a firearm (e.g. guns), firearm part, sound moderator or ammunition.
8. The Respondent must inform each other person of or over the age of 18 years who resides or proposes to reside at the same premises of the fact that a Firearms Prohibition Order is in force against the Respondent and ask each such person whether or not they have or propose to have a firearm (e.g. guns), firearm part, sound moderator or ammunition on the premises.
9. Any person who supplies the Respondent with a firearm (e.g. guns), firearm part, a sound moderator or ammunition commits an offence.
10. Any person who permits the Respondent to gain possession of a firearm, firearm part, a sound moderator or ammunition commits an offence.
11. Any person who has physical possession or control of a firearm whilst in the Respondent's company commits an offence.
12. Any person who brings a firearm, firearm part, sound moderator or ammunition onto, or has possession of any such item on, the premises where the Respondent resides commits an offence.

- 13. If the Respondent changes address, the [Defendant/Youth] must give the Registrar of Firearms written notice of the new address within 7 days.
- 14. Any person who fails to or refuses, without reasonable excuse, to comply with a requirement by a police officer, who suspects on reasonable grounds is the subject of a Firearms Prohibition Order, to state their full name, address and date of birth and the full name of persons with whom they reside commits an offence.

To the Respondent: WARNING

If you fail to comply with the terms of this order, you will be guilty of an offence and may be liable for a fine of up to \$75,000 or up to 10 years imprisonment.

Authentication

.....

Signature of Court Officer

[title and name]

In accordance with the *Supreme Court Act 1935*, the *District Court Act 1991* and the *Magistrates Court Act 1991*, and all other enabling powers, the *Uniform Special Statutory (No 10) Amending Rules 2026* have been made—

- as rules of the Supreme Court by 3 or more Judges of the Supreme Court; and
- as rules of the District Court by the Acting Chief Judge and 2 or more other Judges of that Court; and
- as rules of the Magistrates Court by the Chief Magistrate and 2 or more other Magistrates; and
- as rules of the Environment, Resources and Development Court by the Senior Judge and 1 other Judge; and
- as rules of the Youth Court by the Judge and the magistrates who are members of the principal judiciary of that Court,

and such rules will apply to and in relation to the Court in accordance with their terms.

Dated this 1st day of April 2026.

CHIEF JUSTICE STEIN
 CHIEF JUDGE EVANS
 SENIOR JUDGE DURRANT
 CHIEF MAGISTRATE HRIBAL
 JUDGE SUTCLIFFE