

Interim protection order

[Regulation 6]

SECTION 5 (2) OF THE DOMESTIC VIOLENCE ACT, 1998
(ACT NO. 116 OF 1998)

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF _____

HELD AT _____ APPLICATION NO. _____

In the matter between:

APPLICANT:
 (*Id. No./Date of Birth: _____)

AND

RESPONDENT:
 (*Id. No./Date of Birth: _____)

1. PARTICULARS OF RESPONDENT

Home address:

(Tel. No. _____)

Work address:

(Tel. No. _____)

Occupation:

2. PARTICULARS OF APPLICATION

The Applicant has applied for a Protection Order against the Respondent as per the affidavit(s) and record of oral evidence (if any) attached, which application has been considered by the Court.

3. ORDER BY COURT AND PARTICULARS OF ORDER

3.1 The Court orders that:

- 3.1.1 *The application for a Protection Order is dismissed; or
- 3.1.2 *An Interim Protection Order is granted; and the Respondent is ordered-
 - 3.1.2.1 *not to commit the following act(s) of domestic violence _____ ;
 - 3.1.2.2 *not to enlist the help of another person to commit the acts of domestic violence specified in paragraph 3.1.2.1;
 - 3.1.2.3 *not to enter the shared residence at _____ ;
 - 3.1.2.4 *not to enter the following parts of the shared residence _____ at _____
 - 3.1.2.5 *not to enter the Complainant's residence at _____ ;
 - 3.1.2.6 *not to enter the Complainant's place of employment at _____ ;
 - 3.1.2.7 *not to prevent the Complainant or any child who ordinarily live(s) or lived in the shared residence at _____ from entering or remaining in the shared residence, or any part thereof;
 - 3.1.2.8 *not to commit any of the following acts, to wit _____ ;
 - 3.1.2.9 *to make rent or mortgage payments in the sum of R _____ per month/ annum;
 - 3.1.2.10 *to pay the sum of R _____ to the Complainant as emergency monetary relief.

4. ADDITIONAL ORDERS

4.1 It is further ordered that:

4.1.1 *A peace officer, namely _____, accompanies the Applicant to the following residence in order to assist with arrangements regarding the collection of personal property, i.e.

;

4.1.2 *A member of the South African Police Service at _____ seizes the following arm(s) or dangerous weapon(s) in the possession of the Respondent, i.e.

;

4.1.3 *The Complainant's physical address not be disclosed to the Respondent;

4.1.4 *The Respondent is ordered not to have any contact with the following child(ren):

;

4.1.5 *The Respondent is allowed contact with the following child(ren)

on the following basis

,

;

4.1.6 *The Respondent

4.2 A Warrant is authorised for the arrest of the Respondent, the execution of which is suspended subject to the Respondent's compliance with the provisions of the Protection Order as stated above.

4.3 A copy of this order and the warrant of arrest must be forwarded to the Police Station, once this interim order has been served on the Respondent.

5. DATE OF CONFIRMATION OF ORDER

5.1 **The Respondent** is hereby informed of his/her right to appear in the Magistrate's Court at

_____ on the _____ day of

_____ at 08:30 in order to give reasons why the interim protection order should not be confirmed and made final; and of his/her right to have the matter heard on an earlier date after at least 24 hours' written notice to the applicant and the aforesaid court.

5.2 **The Respondent** is further informed that if he or she does not appear in court on the above-mentioned date and time, and the court is satisfied that this notice was properly served on him or her, and is satisfied that he or she committed or is committing an act of domestic violence, this order will be confirmed and made final.

MAGISTRATE

DATE

* Delete whichever is not applicable