



## FAMILY LAW FACTSHEET 3: LOCATION ORDERS

*If a child is in immediate danger call the police on 000*

### BREACHING A PARENTING ORDER

If a parent is not complying with a Parenting Order, a lawyer from PCLS can assist you. It's important you seek legal advice to help you understand your legal rights and responsibilities.

It is an offence to remove a child from Australia (either short term or long term) without a Family Court Order or written consent from all parties involved when there are Parenting Orders in place.



#### A LOCATION ORDER WILL INCLUDE:

- ✓ Requiring a person to provide any information about a child's location
- ✓ Requiring a government department to provide any information from its records about a child's location

### WHAT IS A LOCATION ORDER?

When the whereabouts of a child is unknown, you may seek a Location Order from the Court. A Location Order is an order made by the Court requiring a person to provide any information that they have about the child's location.

A Location Order can order either an individual or a government agency (or other agency) to provide information regarding the child's whereabouts.

### WHO CAN APPLY FOR A LOCATION ORDER?

- ✓ A parent who the child lives with, spends time with or communicates with under a Parenting Order
- ✓ A parent who has parental responsibility for the child in a Parenting Order
- ✓ Grandparent of the child
- ✓ A person concerned with the care, welfare and development of the child. For example, there may be no Parenting Order, but the child lives with you or spends time with you

If you are unsure whether you may apply, you should seek legal advice first. There does not need to be Parenting Orders in place for you to apply for a Location Order.

### HOW DO I APPLY?

A lawyer from PCLS can assist you with filling out the right Court forms to apply for a Location Order. A Location Order is valid for 12 months from the date of issue unless otherwise stated.

*A Location Order will only be made if the Court determines it is in the best interests of the child*

Disclaimer: This factsheet provides general information and is not to be taken as legal advice. Published 2019.