



# Housing (Wales) Act 2014

2014 anaw 7

## PART 2

### HOMELESSNESS

#### CHAPTER 2

#### HELP FOR PEOPLE WHO ARE HOMELESS OR THREATENED WITH HOMELESSNESS

#### *Key terms*

#### **58 Meaning of abuse and domestic abuse**

- (1) “Abuse” means physical violence, threatening or intimidating behaviour and any other form of abuse which, directly or indirectly, may give rise to the risk of harm; and abuse is “domestic abuse” where the victim is associated with the abuser.
- (2) A person is associated with another person if—
  - (a) they are or have been married to each other;
  - (b) they are or have been civil partners of each other;
  - (c) they live or have lived together in an enduring family relationship (whether they are of different sexes or the same sex);
  - (d) they live or have lived in the same household;
  - (e) they are relatives;
  - (f) they have agreed to marry one another (whether or not that agreement has been terminated);
  - (g) they have entered into a civil partnership agreement between them (whether or not that agreement has been terminated);
  - (h) they have or have had an intimate personal relationship with each other which is or was of significant duration;

- (i) in relation to a child, each of them is a parent of the child or has, or has had, parental responsibility for the child.
- (3) If a child has been adopted or falls within subsection (4), two persons are also associated with each other for the purposes this Chapter if—
- (a) one is a natural parent of the child or a parent of such a natural parent, and
  - (b) the other is—
    - (i) the child, or
    - (ii) a person who has become a parent of the child by virtue of an adoption order, who has applied for an adoption order or with whom the child has at any time been placed for adoption.
- (4) A child falls within this section if—
- (a) an adoption agency, within the meaning of section 2 of the Adoption and Children Act 2002, is authorised to place the child for adoption under section 19 of that Act (placing children with parental consent) or the child has become the subject of an order under section 21 of that Act (placement orders), or
  - (b) the child is freed for adoption by virtue of an order made—
    - (i) in England and Wales, under section 18 of the Adoption Act 1976,
    - (ii) in Northern Ireland, under Article 17(1) or 18(1) of the Adoption (Northern Ireland) Order 1987, or
  - (c) the child is the subject of a Scottish permanence order which includes granting authority to adopt.

(5) In this section—

“adoption order” (*“gorchymyn mabwysiadu”*) means an adoption order within the meaning of section 72(1) of the Adoption Act 1976 or section 46(1) of the Adoption and Children Act 2002;

“civil partnership agreement” (*“cytundeb partneriaeth sifil”*) has the meaning given by section 73 of the Civil Partnership Act 2004;

“parental responsibility” (*“cyfrifoldeb rhiant”*) has the meaning given by section 3 of the Children Act 1989;

“relative” (*“perthynas”*), in relation to a person, means that person’s parent, grandparent, child, grandchild, brother, half-brother, sister, half-sister, uncle, aunt, nephew, niece (including any person who is or has been in that relationship by virtue of a marriage or civil partnership or an enduring family relationship).