



Domestic Violence, Crime and Victims Act 2004

2004 CHAPTER 28

PART 4

SUPPLEMENTARY

58 Amendments and repeals

- (1) Schedule 10 (minor and consequential amendments) has effect.
- (2) The provisions mentioned in Schedule 11 are repealed or revoked to the extent specified.

Commencement Information

- II** [S. 58](#) partly in force; [s. 58](#) not in force at Royal Assent see [s. 60](#); [s. 58](#) in force for certain purposes at 21.3.2005 and 31.3.2005 by [S.I. 2005/579](#), arts. 2(b)(d), 3(f)(h); [s. 58](#) in force for certain purposes at 1.7.2005 by [S.I. 2005/1705](#), [art. 2\(c\)\(e\)](#); [s. 58\(1\)](#) in force for certain purposes at 8.1.2007 by [S.I. 2006/3423](#), [art. 2\(d\)](#); [s. 58\(1\)](#) in force for certain purposes at 1.4.2007 by [S.I. 2007/602](#), [art. 2\(b\)](#); [s. 58](#) in force for certain purposes at 1.7.2007 by [S.I. 2007/1845](#), [art. 2\(c\)\(d\)](#); [s. 58](#) in force for certain purposes at 30.9.2009 by [S.I. 2009/2501](#), [art. 2\(c\)](#) and [S.I. 2009/2616](#), [art. 2\(a\)](#)

59 Transitional and transitory provisions

Schedule 12 (transitional and transitory provisions) has effect.

Commencement Information

- I2** [S. 59](#) partly in force; [s. 59](#) not in force at Royal Assent see [s. 60](#); [s. 59](#) in force for certain purposes at 21.3.2005 and 31.3.2005 by [S.I. 2005/579](#), [arts. 2\(f\)](#), 3(j); [s. 59](#) in force for certain purposes at 1.7.2005 by [S.I. 2005/1705](#), [art. 2\(g\)](#); [s. 59](#) in force for certain purposes at 1.4.2007 by [S.I. 2007/602](#),

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art. 2(d); s. 59 in force for certain purposes at 1.7.2007 by S.I. 2007/1845, **art. 2(e)**; s. 59 in force for certain purposes at 30.9.2009 by S.I. 2009/2616, **art. 2(b)**

60 Commencement

The preceding provisions of this Act come into force in accordance with provision made by the Secretary of State by order.

Subordinate Legislation Made

- P1** S. 60 power exercised; different dates appointed for specified provisions and purposes as follows:
- 21.3.2005 and 31.3.2005 by S.I. 2005/579, **arts. 2, 3**;
 - 1.7.2005 by S.I. 2005/1705, **art. 2**;
 - 18.7.2005 by S.I. 2005/1821, **art. 2**;
 - 18.10.2005 by S.I. 2005/2848, **art. 2**;
 - 5.12.2005 by S.I. 2005/3196, **art. 2**;
 - 4.10.2006 by S.I. 2006/2662, **art. 2**;
 - 8.1.2007 by S.I. 2006/3423, **arts. 2, 3**;
 - 1.4.2007 by S.I. 2007/602, **art. 2**;
 - 1.7.2007 by S.I. 2007/1845, **art. 2** (with art. 3);
 - 14.12.2008 by S.I. 2008/3065, **art. 2**;
 - 30.9.2009 by S.I. 2009/2501, **art. 2**;
 - 30.9.2009 by S.I. 2009/2616, **art. 2**;
 - 1.2.2010 by S.I. 2010/129, **art. 2**

61 Orders

- (1) An order under this Act—
 - (a) may make different provision for different purposes;
 - (b) may include supplementary, incidental, saving or transitional provisions.
- (2) Any power [^{F1}of the Secretary of State] to make an order under this Act is exercisable by statutory instrument.
- (3) A statutory instrument containing an order under section 9(6) or 33(7) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) No order may be made under section 14(5), 53(4) or 54(4) unless a draft of the order has been laid before Parliament and approved by a resolution of each House.
- [^{F2}(5) Any power of the Department of Justice in Northern Ireland to make an order under this Act is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 ^{M1}.
- (6) An order made by the Department of Justice is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 ^{M2}.)]

Textual Amendments

- F1** Words in s. 61(2) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 88(2)** (with arts. 28-31); S.I. 2010/977, art. 1(2)

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F2 S. 61(5)(6) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 88(3)** (with arts. 28-31); S.I. 2010/977, art. 1(2)

Marginal Citations

M1 S.I. 1979/1573 (N.I. 12).

M2 1954 c. 33 (N.I.).

62 Extent

- (1) Subject to the following provisions of this section, Parts 1 to 3 extend to England and Wales only.
- (2) The following provisions extend also to Northern Ireland—
 - section 5;
 - section 9;
 - sections 17 to 21;
 - Schedule 1;
 - section 56;
- (3) The following provisions extend to Northern Ireland only—
 - section 7;
 - section 10(2);
 - section 13;
 - section 23;
 - section 46.
- ^{F3}(4) Nothing in subsection (1) affects the extent of section 8 or of any provision of section 6 [^{F4} or 6A] as applied by section 8.]
- (5) An amendment, repeal or revocation in Schedule 3, 7, 8, 10 or 11 has the same extent as the provision to which it relates.

Textual Amendments

- F3** S. 62(4) substituted (28.3.2009 for certain purposes, otherwise 31.10.2009) by **Armed Forces Act 2006** (c. 52), ss. 378(1), 383(2), **Sch. 16 para. 240**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (and see transitional provisions in S.I. 2009/1059)
- F4** Words in s. 62(4) inserted (2.7.2012) by **Domestic Violence, Crime and Victims (Amendment) Act 2012** (c. 4), s. 4(2), **Sch. para. 10**; S.I. 2012/1432, art. 2

63 Short title

This Act may be cited as the Domestic Violence, Crime and Victims Act 2004.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 9 para. 26A inserted by [2015 c. 2 Sch. 3 para. 12](#)