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STATUTORY INSTRUMENTS

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**2005 No. 3196 (C.137)**

**FAMILY LAW**

**The Domestic Violence, Crime and Victims  
Act 2004 (Commencement No. 5) Order 2005**

*Made - - - - 4th November 2005*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 60 and 61 of the Domestic Violence, Crime and Victims Act 2004<sup>(1)</sup>:

1. This Order may be cited as the Domestic Violence, Crime and Victims Act 2004 (Commencement No. 5) Order 2005.

2. The following provisions of the Domestic Violence, Crime and Victims Act 2004 shall come into force on 5th December 2005—

- (a) section 2 (additional considerations if parties are cohabitants or former cohabitants);
- (b) section 3 (“cohabitants” in Part 4 to include same-sex couples);
- (c) paragraphs 34, 35, 40, 41 and 42 of Schedule 10 (minor and consequential amendments);  
and
- (d) the entry in Schedule 11 (repeals) relating to section 41 of the Family Law Act 1996<sup>(2)</sup>.

Signed by authority of the Lord Chancellor

4th November 2005

*Cathy Ashton*  
Parliamentary Under Secretary of State,  
Department for Constitutional Affairs

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(1) 2004 c. 28.  
(2) 1996 c. 27.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order commences certain provisions of the Domestic Violence, Crime and Victims Act 2004 (c. 28) which are related to cohabitation. The provisions commenced have the effect of amending the definition of “cohabitants” in the Family Law Act 1996 to include cohabiting same-sex couples, and make further consequential amendments. They also extend the definition of “relative” in that Act to include first cousins.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 5 to 8	21st March 2005	2005/579
Section 10(2)	1st July 2005	2005/1705
Section 11	31st March 2005	2005/579
Sections 22 to 26	31st March 2005	2005/579
Section 27	18th July 2005	2005/1821
Sections 28 to 29	31st March 2005	2005/579
Section 31	31st March 2005	2005/579
Sections 32 to 34	12th October 2005	2005/2848
Sections 35 to 45	1st July 2005	2005/1705
Section 47	12th October 2005	2005/2848
Section 54 (in part)	12th October 2005	2005/2848
Section 58 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
Section 59 (in part)	21st March 2005	2005/579
(in part)	31st March 2005	2005/579
(in part)	1st July 2005	2005/1705
Schedule 2	31st March 2005	2005/579
Schedule 3	31st March 2005	2005/579
Schedule 4	18th July 2005	2005/1821
Schedule 5	31st March 2005	2005/579
Schedule 6	31st March 2005	2005/579

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 7	12th October 2005	<a href="#">2005/2848</a>
Schedule 10 (in part)	21st March 2005	<a href="#">2005/579</a>
(in part)	31st March 2005	<a href="#">2005/579</a>
(in part)	1st July 2005	<a href="#">2005/1705</a>
Schedule 11 (in part)	21st March 2005	<a href="#">2005/579</a>
(in part)	31st March 2005	<a href="#">2005/579</a>
(in part)	1st July 2005	<a href="#">2005/1705</a>
Schedule 12 (in part)	21st March 2005	<a href="#">2005/579</a>
(in part)	31st March 2005	<a href="#">2005/579</a>
(in part)	1st July 2005	<a href="#">2005/1705</a>