These notes relate to the Domestic Abuse (Scotland) Act 2018 (asp 5) which received Royal Assent on 9 March 2018

DOMESTIC ABUSE (SCOTLAND) ACT 2018

EXPLANATORY NOTES

THE STRUCTURE AND A SUMMARY OF THE ACT

Part 2 – Further and Final Matters

The schedule – details

Part 2 – minor and consequential amendments

89. Paragraph 10 of the schedule makes a consequential change to section 79 of the 1995 Act as a result of section 7 of this Act.

90. Paragraph 11(2) of the schedule makes a minor change to section 1 of the 2016 Act. This is to introduce consistency with the approach taken in section 11 of this Act.

91. Paragraph 11(3) of the schedule amends the 2016 Act to provide that for the purposes of applying the domestic abuse aggravation under section 1(1)(a) of that Act the matter of the accused being the complainer's partner or ex-partner is to be taken as established unless the matter is challenged by way of a preliminary objection prior to the trial taking place.