



# Domestic Abuse (Protection) (Scotland) Act 2021

2021 asp 16

## PART 1

### DOMESTIC ABUSE PROTECTION NOTICES AND ORDERS

*Persons to whom, and behaviour to which, notices and orders may relate*

#### **1 Persons to whom domestic abuse protection notices and orders may relate**

- (1) A domestic abuse protection notice (see section 5) or domestic abuse protection order (see section 9) may be made—
  - (a) in relation to a person (“person A”) who is aged 18 or over,
  - (b) for the purpose of protecting a person (“person B”)—
    - (i) aged 16 or over who is the partner or ex-partner of person A, and
    - (ii) with whom person A lives some or all of the time,from abusive behaviour by person A.
- (2) Person A and person B are partners if they are—
  - (a) spouses or civil partners of each other, or
  - (b) in an intimate personal relationship with each other.
- (3) Whether person A and person B are “ex-partners” is to be determined accordingly.
- (4) For the purposes of subsection (1)(b)(ii), the reference to person A living with person B is a reference to those persons living, at the same time, in any place where either person A or person B lives to any extent.
- (5) References in this Part to person A and person B are to be construed in accordance with this section.