

*Status: This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: Justice Act (Northern Ireland) 2015, Cross Heading: Application for a domestic violence protection order is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULES

### SCHEDULE 7

#### DOMESTIC VIOLENCE PROTECTION NOTICES AND ORDERS

PROSPECTIVE

##### *Application for a domestic violence protection order*

4.—(1) If a DVPN has been issued, a constable must apply for a DVPO.

(2) The application must be made by complaint to a court of summary jurisdiction.

(3) The application must be heard by the court not later than 48 hours after the DVPN was served pursuant to paragraph 2(2).

(4) A notice of the hearing of the application must be given to P.

(5) The notice is deemed given if it has been left at the address given by P under paragraph 2(3).

(6) But if the notice has not been given because no address was given by P under paragraph 2(3), the court may hear the application for the DVPO if the court is satisfied that the constable applying for the DVPO has made reasonable efforts to give P the notice.

(7) The court may adjourn the hearing of the application.

(8) If the court adjourns the hearing, the DVPN continues in effect until the application has been determined.

(9) On the hearing of an application for a DVPO, Article 118 of the Magistrates' Courts (Northern Ireland) Order 1981 (summons to witness and warrant for arrest) does not apply in relation to a person for whose protection the DVPO would be made, except where the person has given oral or written evidence at the hearing.

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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):

- s. 13(2)(2A) substituted for s. 13(2) by [2022 c. 4 \(N.I.\) s. 4\(5\)](#)
- s. 13(4)(5) added by [2022 c. 4 \(N.I.\) s. 4\(6\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- Sch. 2 para. 8(2) inserted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 2 para. 8(1) words substituted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)