

These notes refer to the Domestic Violence, Crime and Victims Act 2004 (c.28) which received Royal Assent on 15 November 2004

DOMESTIC VIOLENCE, CRIME AND VICTIMS ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Supplementary

Section 58: Amendments and Repeals

158. *Section 58* introduces *Schedules 10 and 11*. *Schedule 10* makes minor and consequential amendments to the existing legislation. This includes: changes to the Family Law Act 1996, a set of amendments to a range of legislation to ensure the new offence of causing or allowing the death of child is comparable to other homicide offences, and existing insanity legislation.

Section 61: Orders

159. *Section 37* provides that subordinate legislation is to be made by statutory instrument and makes provision as to the procedure which should apply to particular powers under the Act. It allows subordinate legislation to make different provision for different purposes and to include supplementary, incidental, saving or transitional provision.

Section 62: Extent

160. The Act generally applies to England and Wales only. *Sections 5,9,17 to 21, and 56* and *Schedule 1* apply also to Northern Ireland. *Sections 7, 10(2), 13, 23 and 46* apply to Northern Ireland only. The amendments and repeals in *Schedules 7,8,10 or 11* have the same extent as the provisions to which they relate.