
Changes to legislation: Domestic Violence, Crime and Victims Act 2004, Paragraph 2 is up to date with all changes known to be in force on or before 28 May 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 **E+W**

INVESTIGATIONS BY PARLIAMENTARY COMMISSIONER

- 2 (1) Section 5 (matters subject to investigation) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Subsection (1C) of this section applies if—
- (a) a written complaint is duly made to a member of the House of Commons by a member of the public who claims that a person has failed to perform a relevant duty owed by him to the member of the public, and
 - (b) the complaint is referred to the Commissioner, with the consent of the person who made it, by a member of the House of Commons with a request to conduct an investigation into it.
- (1B) For the purposes of subsection (1A) of this section a relevant duty is a duty imposed by any of these—
- (a) a code of practice issued under section 32 of the Domestic Violence, Crime and Victims Act 2004 (code of practice for victims), or
 - (b) sections 35 to 44 of that Act (duties of local probation boards in connection with victims of sexual or violent offences).
- (1C) If this subsection applies, the Commissioner may investigate the complaint.”
- (3) In subsection (3) for “investigation under this Act” substitute “ investigation under subsection (1) of this section ”.
- (4) After subsection (4) insert—
- “(4A) Without prejudice to subsection (2) of this section, the Commissioner shall not conduct an investigation pursuant to a complaint under subsection (1A) of this section in respect of—
- (a) action taken by or with the authority of the Secretary of State for the purposes of protecting the security of the State, including action so taken with respect to passports, or
 - (b) any action or matter described in any of paragraphs 1 to 4 and 6A to 11 of Schedule 3 to this Act.
- (4B) Her Majesty may by Order in Council amend subsection (4A) of this section so as to exclude from paragraph (a) or (b) of that subsection such actions or matters as may be described in the Order.
- (4C) Any statutory instrument made by virtue of subsection (4B) of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

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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):

- Sch. 9 para. 26A inserted by [2015 c. 2 Sch. 3 para. 12](#)