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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring into force on 5th July 2021 sections 1 and 2 (for limited purposes), section 76 (in specified areas for a specified period) and section 78 of the Domestic Abuse Act 2021 (c. 17) (“the Act”).

Regulation 2(1) brings into force the definitions of “domestic abuse” and “personally connected” in sections 1 and 2 respectively of the Act. The definitions are commenced only for the purposes of: section 76 of the Act, which is brought into force for limited purposes by these Regulations; sections 75 and 83 of the Act, which were brought into force on the day on which the Act was passed in accordance with section 90(1) of the Act; sections 177, 179, 189 and 198 of the Housing Act 1996 (c. 52) (“the 1996 Act”) and article 6 of the Homelessness (Priority Need for Accommodation) (England) Order 2002 (S.I. 2002/2051) which are amended by section 78 of the Act, which is brought into force by these Regulations.

Regulation 2(2) brings into force section 78 of the Act.

Section 78 amends Part 7 of the 1996 Act (homelessness: England) by creating a new priority need category for persons who are homeless as a result of being a victim of domestic abuse. Sections 78(2), and 78(4) to 78(7) of the Act amend sections 177, 179, 189, 198 and 218 of the Housing Act 1996.

Section 78(3) of the Act repeals section 178 of the 1996 Act (meaning of associated person), and section 78(9) of the Act makes amendments consequential on that repeal.

Section 78(8) amends article 6 of the Homelessness (Priority Need for Accommodation) (England) Order 2002 (S.I. 2002/2051).

Regulation 3 brings into force for limited purposes section 76 of the Act, which enables the Secretary of State to include polygraph conditions for certain offenders released on licence. The provision is being commenced in 13 police areas in the North of England, as specified in regulation 3(2), as part of a pilot scheme running from 5th July 2021 to 5th July 2024, as specified in regulation 3(3).

Regulation 4(1) contains a saving in relation to section 78(3) of the Act for the purposes of section 4 of the Deregulation Act 2015 and section 27 of the Housing and Planning Act 2016.

Regulation 4(2) contains a saving in relation to polygraph conditions included in a licence as part of the pilot scheme brought into force by regulation 3.

An impact assessment has not been published for these Regulations as no impact on the private, voluntary or public sectors is foreseen independent of the provisions these Regulations bring into force. An impact assessment has been published in relation to the Domestic Abuse Bill and copies can be obtained from the Ministry of Justice, 102 Petty France, London, SW1H 9AJ or from this website: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/904498/ANNEX\\_A-\\_20200708\\_Domestic\\_Abuse\\_Bill\\_Enactment\\_IA\\_July\\_2020-\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904498/ANNEX_A-_20200708_Domestic_Abuse_Bill_Enactment_IA_July_2020-_FINAL.pdf).