
STATUTORY INSTRUMENTS

2023 No. 406 (C. 23)

DOMESTIC ABUSE

The Domestic Abuse Act 2021
(Commencement No. 1) Regulations 2023

Made - - - - 30th March 2023

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 86(1) (b) and 90(6) of the Domestic Abuse Act 2021(1).

Citation, interpretation and extent

1.—(1) These Regulations may be cited as the Domestic Abuse Act 2021 (Commencement No. 1) Regulations 2023.

(2) In these Regulations “the Act” means the Domestic Abuse Act 2021.

(3) This regulation and regulation 2(c) extend to England and Wales, Scotland and Northern Ireland.

(4) Regulations 2(a), 2(b) and 3 extend to England and Wales.

Commencement of provisions on 5th April 2023

2. The following provisions of the Act come into force on 5th April 2023—

(a) section 68 (controlling or coercive behaviour in an intimate or family relationship);

(b) section 77 (guidance about the disclosure of information by police forces);

(c) section 82 (code of practice).

Transitional Provision

3. The amendments made by section 68 of the Act apply only in relation to controlling or coercive behaviour, as defined in section 76 of the Serious Crime Act 2015(2), that occurs on or after 5th April 2023.

(1) 2021 c. 17.

(2) 2015 c. 9. Section 76 will be prospectively amended by section 68 of the Domestic Abuse Act 2021.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

30th March 2023

Sarah Dines
Parliamentary Under Secretary of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force sections 68, 77 and 82 of the Domestic Abuse Act 2021 (c. 17) (“the Act”) on 5th April 2023.

Regulation 2 brings into force section 68 of the Act, which amends the definition of “personally connected” in section 76 of the Serious Crime Act 2015 (c. 9). It also brings into force section 77 of the Act, which requires the Secretary of State to issue statutory guidance to the police about the disclosure of police information by police forces for the purposes of preventing domestic abuse, and section 82 of the Act, which enables the Secretary of State to issue a code of practice relating to the processing of domestic abuse data for immigration purposes.

Regulation 3 ensures that the amendments made by section 68 of the Act only apply to controlling or coercive behaviour that occurs on or after 5th April 2023.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector or community bodies is foreseen independent of the provisions these Regulations bring into force. An impact assessment has been published in relation to the effect of the Act 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/1007463/DA_Act_2021_Impact_Assessment.pdf

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Domestic Abuse Act 2021 have been brought into force by commencement regulations before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	5th July 2021	2021/797
Section 1 (remainder)	1st October 2021	2021/1038
Section 2 (partially)	5th July 2021	2021/797
Section 2 (remainder)	1st October 2021	2021/1038
Section 3 (partially)	1st October 2021	2021/1038
Section 3 (partially)	1st November 2021	2021/1038
Section 3 (remainder)	31st January 2022	2022/73
Part 2	1st November 2021	2021/1038
Part 4	1st October 2021	2021/1038
Section 62 (partially)	19th May 2022	2022/553
Section 63	1st October 2021	2021/1038
Section 64	14th June 2022	2022/553

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 65	21st July 2022	2022/840
Section 66	21st July 2022	2022/840
Section 67	19th May 2022	2022/553
Section 70	7th June 2022	2022/553
Section 73	21st February 2022	N.I.S.R. 2022/52
Section 74(2)	29th June 2021	S.S.I. 2021/239
Section 74(3)	21st February 2022	N.I.S.R. 2022/52
Section 76 (partially)	5th July 2021	2021/797
Section 78	5th July 2021	2021/797
Section 79	1st November 2021	2021/1038
Section 84	1st November 2021	2021/1038
Schedule 2	7th June 2022	2022/553
Part 2 of Schedule 3	29th June 2021	S.S.I. 2021/239
Part 3 of Schedule 3	21st February 2022	N.I.S.R. 2022/52