



**AN BILLE UM FHORÉIGEAN BAILE (LEASÚ), 2002
DOMESTIC VIOLENCE (AMENDMENT) BILL, 2002**

*Mar a ritheadh ag Seanad Éireann
As passed by Seanad Éireann*

ARRANGEMENT OF SECTIONS

Section

1. Amendment of Domestic Violence Act, 1996.
 2. Short title and collective citation.
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ACTS REFERRED TO

Domestic Violence Act, 1996

1996, No. 1

Organisation of Working Time Act, 1997

1997, No. 20



AN BILLE UM FHORÉIGEAN BAILE (LEASÚ), 2002
DOMESTIC VIOLENCE (AMENDMENT) BILL, 2002

BILL

entitled

5 AN ACT TO AMEND THE DOMESTIC VIOLENCE ACT, 1996.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—The Domestic Violence Act, 1996, is amended—

Amendment of
Domestic Violence
Act, 1996.

(a) in section 4 (interim barring orders), by substituting the following subsection for subsection (3):

10 “(3) (a) An interim barring order may be made *ex parte* where, having regard to the circumstances of the particular case, the court considers it necessary or expedient to do so in the interests of justice.

15 (b) The application for such an order shall be grounded on an affidavit or information sworn by the applicant.

(c) If an interim barring order is made *ex parte*—

20 (i) a note of evidence given by the applicant shall be prepared forthwith—

(I) by the judge,

(II) by the applicant or the applicant’s solicitor and approved by the judge,
or

25 (III) as otherwise directed by the judge,

and

(ii) a copy of the order, affidavit or information and note shall be served on the respondent as soon as practicable.

30 (d) The order shall have effect for a period, not exceeding 8 working days, to be specified in the order, unless, on application by the applicant for the barring order and on notice to the respondent, the interim barring order is

confirmed within that period by order of the court.

(e) The order shall contain a statement of the effect of paragraph (d).

(f) In paragraph (d) ‘working days’ means days other than Saturdays, Sundays or public holidays (within the meaning of the Organisation of Working Time Act, 1997).” 5

and

(b) in section 5 (protection orders), by substituting the following subsection for subsection (4): 10

“(4) A protection order may be made *ex parte*.”.

Short title and collective citation.

2.—(1) This Act may be cited as the Domestic Violence (Amendment) Act, 2002.

(2) This Act and the Domestic Violence Act, 1996, may be cited together as the Domestic Violence Acts, 1996 and 2002. 15