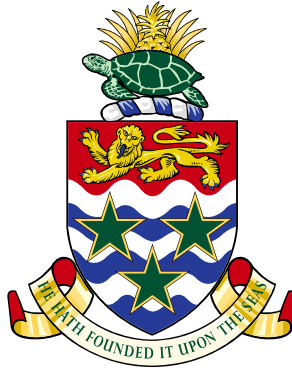


CAYMAN ISLANDS



PROTECTION FROM DOMESTIC VIOLENCE (AMENDMENT) LAW, 2020

(Law 43 of 2020)

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PUBLISHING DETAILS



CAYMAN ISLANDS

PROTECTION FROM DOMESTIC VIOLENCE (AMENDMENT) LAW, 2020

(Law 43 of 2020)

Arrangement of Sections

Section	Page
1. Short title and commencement	5
2. Amendment of section 2 of the Protection from Domestic Violence Law, 2010 – interpretation.....	5
3. Amendment of section 4 – power of court to grant a protection order, an occupation order or a tenancy order.....	7
4. Amendment of section 7 – matters to be considered.....	7

CAYMAN ISLANDS

(Law 43 of 2020)

I Assent,

**Martyn Roper**
Governor

Date: 4th day of September, 2020

**PROTECTION FROM DOMESTIC VIOLENCE
(AMENDMENT) LAW, 2020**

(Law 43 of 2020)

A LAW TO AMEND THE PROTECTION FROM DOMESTIC VIOLENCE LAW, 2010 AS A CONSEQUENCE OF THE ENACTMENT OF THE CIVIL PARTNERSHIP LAW, 2020; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Governor in accordance with section 81 of the Constitution, after consultation with the Premier, with the prior approval of the Secretary of State, and pursuant to instructions issued in accordance with section 31 of the Constitution.

Short title and commencement

1. (1) This Law may be cited as the Protection from Domestic Violence (Amendment) Law, 2020.
- (2) This Law comes into force immediately after the commencement of the *Civil Partnership Law, 2020*.

Amendment of section 2 of the Protection from Domestic Violence Law, 2010 – interpretation

2. The *Protection from Domestic Violence Law, 2010*, in this Law referred to as the “principal Law”, is amended in section 2 as follows —
 - (a) by deleting the definition of the word “child” and substituting the following definition —

“**child**” means any individual under the age of eighteen who has never been married or a party to a civil partnership and who is —

- (a) a child of both parties to a marriage or civil partnership;
- (b) a child (whether or not a child of either party to a marriage or a civil partnership) who is or has been living in the household residence as a member of the family;
- (c) a child of a man and a woman who, although not married to each other or in a civil partnership with each other, are living together or have lived together in the same household residence;
- (d) a child of two persons who, although not in a civil partnership with each other, are living together or have lived together in the same household residence;
- (e) a child (whether or not a child of the man and woman referred to in paragraph (c) or either of them, or whether or not a child of the two persons referred to in paragraph (d) or either of them) —
 - (i) who is or has been a member of their household residence;
 - (ii) who resides in that household residence on a regular basis;
or
 - (iii) of whom either the man or woman referred to in paragraph (c) or one of the two persons referred to in paragraph (d) is a guardian,

and includes an adopted child and a step-child;”;

- (b) in the definition of the words “prescribed person”, by inserting after the words “the spouse” the words “, civil partner”;
- (c) in the definition of the words “visiting relationship”, by repealing paragraph (a) and substituting the following paragraph —
 - “(a) between two persons who do not share a common household residence; and”;
- (d) by inserting, in the appropriate alphabetical sequence, the following definitions —

“**civil partner**” has the meaning assigned by section 2 of the *Civil Partnership Law, 2020* and includes —

- (a) two persons who cohabit with each other as if they are in law each other’s civil partner; and
- (b) a former civil partner where a civil partnership is dissolved or annulled; and

“**civil partnership**” has the meaning assigned by section 2 of the *Civil Partnership Law, 2020*;”.



Amendment of section 4 – power of court to grant a protection order, an occupation order or a tenancy order

3. The principal Law is amended in section 4(3) by inserting after the words “a spouse” the words “civil partner”.

Amendment of section 7 – matters to be considered

4. The principal Law is amended in section 7(g) by inserting after the words “the institution of marriage” the words “, the civil partnership”.

Assented to by the Governor the 4th day of September, 2020.