

COMMONWEALTH OF DOMINICA**ARRANGEMENT OF SECTIONS****SECTION****PART I****PRELIMINARY**

1. Short title.
2. Interpretation.
3. Persons entitled to apply under this Act.

PART II**PROTECTION ORDERS**

4. Application for Protection Order.
5. Grant of Protection Order on an *ex-parte* application.
6. Duration and discharge of Protection Order.

PART III**OCCUPATION ORDERS**

7. Application for a grant of Occupation Order.
8. Grant of Occupation Order on an *ex-parte* application.
9. Effect of Occupation Order.
10. Variation or discharge of Occupation Order.

PART IV**TENANCY ORDERS**

11. Tenancy Order.
12. Grant of Tenancy Order on an *ex parte* application.
13. Effect of Tenancy Order.
14. Power to discharge Tenancy Order and revest tenancy.

PART V**PROVISIONS RELATING TO OCCUPATION
ORDERS AND TENANCY ORDERS****SECTION**

15. Procedure relating to Occupation Orders and Tenancy Orders.
16. Ancillary order respecting furniture.

PART VI**INTERIM ORDERS**

17. Interim Orders.

PART VII**PROCEEDINGS IN RESPECT OF AN
APPLICATION FOR AN ORDER**

18. Date of hearing of application.
19. Notice of proceedings.
20. Absence of respondent.
21. Absence of applicant.
22. Explanation of Orders.
23. Service of Orders.
24. Service other than personal service.
25. Respondent to have notice.

PART VIII**ENFORCEMENT OF ORDERS**

26. Breach of Orders.

PART IX**POLICE POWERS OF ENTRY
AND ARREST****SECTION**

- 27. Duties of police officers.
- 28. Issue of Warrant.
- 29. Police powers of entry and arrest without warrant.
- 30. Duty of police officer to assist victims.
- 31. Powers of arrest where Order is in force.
- 32. Existing Criminal law to apply.
- 33. Refractory witnesses.
- 34. Magistrate's Code of Procedure Act.

PART X**GENERAL**

- 35. Conduct of proceedings.
- 36. Evidence.
- 37. Standard of proof.
- 38. Restriction of publication of reports of proceedings.
- 39. Order by consent.
- 40. Counselling.
- 41. Appeals.
- 42. Protection of mortgage.
- 43. Rules of Court.
- 44. Power to make Regulations.

SCHEDULE.

COMMONWEALTH OF DOMINICA

ACT No. 22 of 2001

I assent

VERNON L. SHAW
President

29th January, 2002.

**AN ACT TO PROVIDE PROTECTION IN CASES
INVOLVING DOMESTIC VIOLENCE AND FOR
MATTERS CONNECTED THEREWITH, AND
INCIDENTAL THERETO.**

(Gazetted 31st January, 2002.)

BE IT ENACTED by the Parliament of the Commonwealth of
Dominica as follows:PART I
PRELIMINARY

1. This Act may be cited as the -

Short title.

**PROTECTION AGAINST
DOMESTIC VIOLENCE ACT 2001.**

Interpretation.**2. In this Act -**

"applicant" means a person described in section 3 who applies or on whose behalf an application is made, pursuant to this Act, for an order;

"child" means a person under the age of eighteen years who ordinarily or periodically resides with the applicant, whether or not the child is a child of the applicant and the respondent or either of them, and includes an adopted child, stepchild, or a child who is treated as a child of the family but not a person who is or has been married;

"Court" means a Family Court, High Court or a court of summary jurisdiction;

"common law spouse" means an unmarried person who has lived with or is living with an unmarried person of the opposite sex as husband or wife although not legally married to that person;

"dependant" means a person over the age of eighteen years who by reason of physical or mental disability, age or infirmity is reliant on either the applicant or respondent for his welfare;

"domestic violence" includes physical, sexual, emotional or psychological or financial abuse committed by a person against a spouse, child, any other person who is a member of the household, dependant or parent of a child of that household;

"emotional or psychological abuse" means a pattern of behaviour of any kind, the purpose of which is to undermine the emotional or mental well-being of a person including -

- (a) persistent intimidation by the use of abusive or threatening language;
- (b) persistent following of the person from place to place;
- (c) depriving the person of the use of his property;

-
- (d) the watching or besetting of the place where the person resides, works, carries on business or happens to be;
 - (e) interfering with or damaging the property of the person;
 - (f) the forced confinement of the person;
 - (g) persistent telephoning of the person at the person's place of residence or work; and
 - (h) making unwelcome and repeated or intimidatory contact with a child, dependant or elderly relative of the person;

"ex parte application" means an application made without notice to the respondent;

"financial abuse" means a pattern of behaviour of a kind, the purpose of which is to exercise coercive control over, or exploit or limit a person's access to financial resources so as to ensure financial dependence;

"household residence" means -

- (a) in relation to both spouses, the dwelling-house that is used habitually by both parties or either of them as the only or principal family residence together with any land, buildings or improvements appurtenant thereto and wholly or mainly used for the purposes of the household;
- (b) in relation to a man and a woman who are no longer spouses, the dwelling-house that was last used habitually by either of them, before or after they ceased to be spouses, as the only or principal family residence, together with any land, buildings, or improvements appurtenant thereto and used wholly or mainly for the purposes of the household;

"Minister" means the Minister to whom responsibility for Community Development and Gender Affairs is assigned;

"Occupation Order" means an order made under section 7 and includes an interim order made under that section;

"parent" means a person who is a parent or grandparent in relation to a child, dependant, spouse or respondent as the case may be-

- (a) by blood;
- (b) by marriage; or
- (c) by adoption;

"physical abuse" means any act or omission which causes or is intended to cause -

- (a) physical injury; or
- (b) reasonable apprehension of physical injury.

"prescribed person" means a spouse of the respondent, a parent, a child or dependant of that person;

"Protection Order" means an order made under section 4 and includes an interim order made under that section;

"respondent" means a person against whom an application for an order is made or granted pursuant to this Act;

"sexual abuse" includes sexual contact of any kind that is made by force or threat and the commission of or an attempt to commit any of the offences under the Sexual Offences Act, 1998;

Act No. 1 of 1998.

"spouse" includes a former spouse, common law spouse and former common law spouse;

"Tenancy Order" means an order made under section 11 and includes an interim order made under that section;

"tenant", in relation to any dwelling-house, includes any person -

- (a) whose tenancy has expired or has been determined; and -

- (b) who is for the time being deemed under or by virtue of any enactment or rule of law to continue to be the tenant of the dwelling-house,

and the term tenancy has a corresponding meaning;

“visiting relationship” means a non-habitational relationship which is otherwise similar to the relationship between husband and wife.

3. (1) An application for a Protection Order under this Act may be made by -

Persons entitled to apply under this Act.

- (a) the spouse of the respondent being the spouse in respect of whom the alleged conduct has been, or is likely to be engaged in by the respondent;
- (b) a person who has a child in common with the respondent and that person is being subjected to or is likely to be subjected to domestic violence by the respondent;
- (c) where the alleged conduct involves a child or dependant -
 - (i) a person with whom the child or dependant ordinarily or periodically resides;
 - (ii) a parent or guardian of the child or dependant;
 - (iii) where the dependant is not mentally disabled, the dependant;
 - (iv) a person experienced or qualified in social welfare and approved by the Minister by Order published in the *Gazette*;
 - (v) a police officer; or
 - (vi) a person holding the office or performing the duties of a probation officer or a nurse;

(d) a parent or sibling by blood or marriage of either the spouse or respondent not being a member of the household; or

(e) a person who is or has been in a visiting relationship with the respondent for a period exceeding twelve months.

(2) An application for an Occupation Order may be made by applicants described in subsection (1) (a), (c) and (d).

(3) An application for a Tenancy Order may be made by the respondent's spouse as mentioned in subsection (1) (a) or a parent or guardian of a child or a dependant, where the parent, guardian, child or dependant is subject to the alleged conduct and the spouse is unwilling to make an application.

PART II PROTECTION ORDERS

Application for Protection Order.

4. (1) Application may be made to the Court in accordance with Form 1 of the Schedule for a Protection Order -

(a) prohibiting the respondent-

- (i) from entering or remaining in the household residence of any prescribed person;
- (ii) from entering or remaining in any area specified in the order, being an area in which the household residence of a prescribed person is located;
- (iii) from entering the place of work or education of any prescribed person;
- (iv) from entering and remaining in any place where a prescribed person happens to be;

(b) directing that the respondent-

-
- (i) returns to the applicant specified property that is in his possession or under his control;
 - (ii) pays compensation for monetary loss incurred by an applicant as a direct result of conduct that amounted to domestic violence;
 - (iii) pays interim monetary relief to the applicant for the benefit of the applicant and any child, where there is no existing order relating to maintenance until such time as an obligation for support is determined, pursuant to any other written law;
 - (iv) immediately vacates any place or residence for a specified period, whether or not the residence is jointly owned or leased by the respondent and the applicant, or solely owned or leased by the respondent or the applicant;
 - (v) relinquishes to the police any firearm licence, firearm or other weapon which he may have in his possession or control and which may or may not have been used;
 - (vi) makes or continues to make payments in respect of rent or mortgage payments for premises occupied by the applicant for a reasonable period;
 - (vii) ensures that reasonable care is provided in respect of a child or dependant;
 - (viii) or the applicant or both, receive professional counselling or therapy from any person or agency or from a programme approved by the Minister in writing;

-
- (c) directing that the order be applied for the benefit of a child or dependant of the applicant or respondent;
 - (d) prohibiting the respondent from taking possession of, damaging, converting or otherwise dealing with, property that the applicant may have an interest in, or is reasonably used by the applicant, as the case may be;
 - (e) prohibiting the respondent from molesting a prescribed person by-
 - (i) watching or besetting the prescribed person's household residence, place of work or education;
 - (ii) following or stalking the prescribed person in any place;
 - (iii) making persistent telephone calls to a prescribed person;
 - (iv) using abusive language to or behaving towards a prescribed person in any other manner which is of such nature and degree as to cause annoyance to, or result in ill-treatment of the prescribed person; or
 - (v) causing or encouraging another person to engage in conduct referred to in paragraph (i) to (iv).

(2) On hearing an application under subsection (1) the Court may make a Protection Order in accordance with Form 2 of the Schedule if it is satisfied that-

- (a) the respondent has used or threatened to use violence against, or caused physical or mental injury to, a prescribed person and is likely to do so again; or

- (b) having regard to all the circumstances, the order is necessary for the protection of a prescribed person,

and the Court may, if it thinks fit, attach a power of arrest to the Protection Order.

(3) Where the Court makes an order which, directs the payment of compensation under subsection (1)(b)(ii), such compensation shall include, but not be limited to-

- (a) loss of earning;
- (b) medical and dental expenses;
- (c) moving and accommodation expenses;
- (d) reasonable legal costs, including the cost of an application pursuant to this Act.

(4) Where the Court makes an order which, directs counselling under subsection (1)(b)(viii) the order shall specify-

- (a) that the Court receive written notification from the counsellor or therapist of sessions missed without reasonable excuse; and
- (b) the date by which the counsellor or therapist shall submit a report to the Court in respect of the counselling or therapy, such report to include a prognosis for recovery.

(5) The Court shall have jurisdiction to award compensation not exceeding ten thousand dollars and the payment of such compensation shall be received by the Court on behalf of the applicant.

(6) Where the Court makes an order which, -

- (a) directs that the respondent vacate any place or residence; or
- (b) directs the respondent to return to the applicant

specified property that is in his possession or control,

the Court may, in that same order, if it thinks necessary and notwithstanding any other law, direct the police to remove the respondent either immediately or within a specified time from the said place or residence, or to accompany the applicant, as the case may be, either immediately or within a specified time to specified premises to supervise the removal of property belonging to the applicant and to ensure the protection of that person.

Grant of Protection
Order on an *ex-parte*
application

5. (1) A Protection Order may be made on an *ex parte* application if the Court is satisfied that the delay that would be caused by proceeding on notice would or might entail-

(a) risk to the personal safety of a prescribed person;
or

(b) serious injury or undue hardship.

(2) Any Protection Order made on an *ex parte* application shall be an interim order.

(3) Where a Protection Order is granted on an *ex parte* application, the respondent may apply immediately for it to be discharged.

Duration and
discharge of
Protection Order.

6. (1) A Protection Order shall cease to have effect if a party to the proceedings in which it was made applies to the Court for it to be discharged and the Court is satisfied that it should be discharged.

(2) A copy of an application under subsection (1) shall be served personally on each person who was a party to the proceedings in which the Protection order was made.

(3) In determining whether to discharge a Protection Order the Court shall have regard to the matters referred to in section 4(2).

PART III

OCCUPATION ORDERS

7. (1) Application may be made to the Court in accordance with Form 5 of the Schedule for an Occupation Order granting the prescribed person or persons named in the order the right to live in the household residence.

Application for a
grant of Occupation
Order.

(2) Subject to subsection (3) and section 15 the Court may, on an application under subsection (1), make an Occupation Order in accordance with Form 6 granting to the prescribed person or persons for such period or periods and on such terms and subject to such conditions as the Court thinks fit, the right to occupy the household residence or any other premises forming part of the household residence.

Form 6.

(3) The Court shall not make an order under subsection (2) unless it is satisfied that such an order -

(a) is necessary for the protection of a prescribed person; or

(b) is in the best interest of a child or dependent.

8. (1) An Occupation Order may be made on an *ex parte* application if the Court is satisfied that -

Grant of Occupation
Order on an *ex-
parte* application.

(a) the respondent has used violence against or caused physical or mental injury to a prescribed person; and

(b) the delay that would be caused by proceedings on notice could or might expose the prescribed person to physical injury.

(2) Any Occupation Order made on an *ex parte* application shall be an interim order.

(3) Where the Court grants an Occupation Order on an *ex parte* application, the Court shall at the same time make an interim Protection Order unless it considers that there are special reasons why such an interim order should not be made.

(4) An Occupation Order which is made on an *ex parte* application while the prescribed person concerned and the respondent are living together in the same household residence shall expire -

- (a) on its discharge by the Court;
- (b) on the discharge of an interim Protection Order made pursuant to subsection (3); or
- (c) in any other case, at the expiration of a period of fourteen days after the date on which the Occupation Order was made.

(5) Where an Occupation Order is made on an *ex parte* application, the respondent may apply immediately for its variation or discharge.

Effect of Occupation Order.

9. Where an Occupation Order is made the prescribed person to which it relates shall be entitled, to the exclusion of the respondent, personally to occupy the household residence to which that Order relates.

Variation of discharge of Occupation Order.

10. The Court may, if it thinks fit on an application of either party in accordance with Form 7 of the Schedule, make an order -

Schedule.
Form 7.

- (a) extending or reducing any period specified by the Court pursuant to section 8(2); or
- (b) varying or discharging any terms and conditions imposed by the Court pursuant to that subsection.

PART IV TENANCY ORDERS

Tenancy Order.

11. (1) An application may be made to the Court in accordance with Form 9 of the Schedule for an order vesting in the applicant the tenancy of any dwelling-house which, at the time of the making of the order-

- (a) the respondent is either the sole tenant or a tenant holding jointly or in common with the applicant; and
- (b) is the household residence of the applicant or the respondent.

(2) Subject to section 15, the Court may make an order in accordance with Form 10 of the Schedule on an application under subsection (1) if the Court is satisfied that such an order-

Schedule.
Form 10.

- (a) is necessary for the protection of the applicant; or
- (b) is in the best interest of a child or a dependant.

12. (1) A Tenancy Order may be made on an *ex parte* application if the Court is satisfied that-

Approval of
development plan.

- (a) the respondent has used violence against or caused physical or mental injury to the applicant, or any other prescribed person; and
- (b) the delay that would be caused by proceeding on notice would or might expose the applicant or any other prescribed person as the case may be, to physical injury.

(2) Any Tenancy Order made on an *ex parte* application shall be an Interim Order.

(3) Where the Court makes a Tenancy Order on an *ex parte* application the Court shall, at the same time, make an interim Protection Order unless the Court considers that there are special reasons why such an Order should not be made.

(4) A Tenancy Order which is made on an *ex parte* application while the applicant and the respondent are living together in the same household residence shall expire-

- (a) on its discharge by the Court;
- (b) on the discharge of an interim Protection Order made under subsection (3);

(c) in any other case, at the expiration of a period of fourteen days after the date on which the Tenancy Order was made.

(5) Where a Tenancy Order is made on an *ex parte* application the respondent may apply immediately for variation or discharge of that order.

**Effect of Tenancy
order.**

13. (1) Where a Tenancy Order is made the applicant shall, unless the tenancy is sooner determined, become the tenant of the dwelling-house upon and subject to the terms and conditions of the tenancy in force at the time of the making of that Order, and the respondent shall cease to be the tenant.

(2) Every Tenancy Order shall have effect and may be enforced as if it were an order of the Court for possession of the land granted in favour of the applicant.

(3) Nothing in this Act or in any Tenancy Order shall -

- (a) limit or affect the operation of any enactments or rule of law for the time being applicable to any tenancy to which a Tenancy Order applies, or to the dwelling-house held under the tenancy; or
- (b) authorise the Court to vary, except by vesting the tenancy pursuant to this section or revesting the tenancy pursuant to section 14, any express or implied term or condition of the tenancy.

**Power to discharge
Tenancy Order and
revest tenancy.**

14. (1) The Court may, if it thinks fit on the application of -

- (a) the applicant or respondent; or
- (b) the personal representative of either party,

make an order (in this section referred to as a "revesting order") revesting the tenancy accordingly.

(2) Where a revesting order is made under subsection (1), the person in whose favour it is made shall, unless the tenancy

is sooner lawfully determined, become the tenant of the dwelling-house upon and subject to the terms and conditions of the tenancy in force immediately before the date on which the reversioning order was made.

PART V

PROVISIONS RELATING TO OCCUPATION ORDERS AND TENANCY ORDERS

15. (1) Before making an Occupation Order (other than an interim Occupation Order) or a Tenancy Order (other than an interim Tenancy Order), the Court shall direct that notice be given to any person having an interest in the property which would be affected by any such Order.

Procedure relating
to Occupation
Orders and Tenancy
Orders.

(2) The person referred to in subsection (1) shall, upon being notified pursuant to that subsection, be entitled to appear and to be heard in the matter of the application for the Occupation Order or Tenancy Order as a party to that application.

(3) Where an application is made for an Occupation Order, the Court may treat that application as an application for a Tenancy Order or an Occupation Order or both and may make a Tenancy Order, whether or not it makes an Occupation Order, if it is satisfied that -

(a) it has jurisdiction to make the Tenancy Order and that the making of such an order is appropriate; and

(b) subsection (1) has been complied with in respect of the making of a Tenancy Order.

(4) Where an application is made for a Tenancy Order, the Court may treat that application as an application for an Occupation Order or a Tenancy Order or both and may make an Occupation Order, whether or not it makes a Tenancy Order, if it is satisfied that -

(a) it has jurisdiction to make an Occupation Order and that the making of such an Order is appropriate; and

(b) subsection (1) has been complied with in respect of the making of an Occupation Order.

Ancillary orders
respecting furniture.

16. (1) On or after making an Occupation Order or a Tenancy Order, the Court may, subject to subsection (2), make an order granting to the applicant the use, for such period and on such terms and subject to such conditions as the Court thinks fit, of all or any of -

(a) the furniture;

(b) household appliances; and

(c) household effects;

in the household residence or other premises to which the Occupation Order relates or in the dwelling-house to which the Tenancy Order relates.

(2) An order made under subsection (1) shall continue in force for a period of three months beginning on the date on which the order is made, unless the Court otherwise directs, but, in any event, shall expire if the Occupation Order made in relation to the household residence or other premises or the Tenancy Order made in relation to the dwelling-house expires or is discharged.

PART VI

INTERIM ORDERS

Interim Orders.

17. (1) Every Interim Order made under this Act on an *ex parte* application shall specify a date, which shall be as soon as reasonably practicable, but no later than 21 days thereafter, for a hearing on whether an Order should be made in substitution for the Interim Order.

(2) A copy of any such Interim Order shall be served on the respondent and shall notify the respondent that unless the respondent attends on the specified date to show cause why an order should not be made in substitution for the Interim Order, the Court may discharge the Interim Order and make an Order in substitution therefor.

(3) At the hearing referred to in subsection (1) the Court may -

- (a) discharge the Interim Order;
- (b) discharge the Interim Order and make an order in substitution therefor; or
- (c) on good cause being shown, adjourn the hearing to such date and place as the Court may specify; but such final date not to exceed 42 days from the date of the application.

(4) Where a hearing is adjourned under subsection (3)(c) the Court may, at the adjourned hearing, exercise either the power conferred by paragraph (a) or paragraph (b) of that subsection.

(5) In this section and Part VII -

"Interim Order" means an Interim Protection Order, an Interim Occupation Order and an Interim Tenancy Order.

"Order" means a Protection Order, an Occupation Order and a Tenancy Order, but does not include an Interim Order.

PART VII

PROCEEDINGS IN RESPECT OF AN APPLICATION FOR AN ORDER

18. Where an application is made for any order, the Clerk of the Court or the Registrar shall fix a date for the hearing of the application which shall be no more than seven days after the date on which the application is filed.

Date of hearing of
application.

Notice of proceedings.

19. (1) A copy of the application for an order, together with a notice of the date on which, and the time and place at which, the application is to be heard, shall be served on the respondent.

(2) A notice of proceedings shall be issued in accordance with Form 13 of the Schedule.

(3) Where an application is filed in respect of a child or dependant, a copy of the application, together with notice of the date on which, and the time and place at which, the application is to be heard, shall as soon as practicable, be served on the parent or guardian or other person with whom the child or dependant normally resides or resides with on a regular basis.

(4) A notice of proceedings which is issued and served under this section is deemed to be a summons that is duly issued and served and compels the respondent to appear in Court to answer the application as if it were a complaint.

(5) A notice of proceedings issued under this section may be served by the applicant or his agent and the Court shall receive proof of such service by affidavit in accordance with Form 14 of the Schedule.

(6) Where the hearing of an application is adjourned because the application and the notice of proceedings have not been served on the respondent, the time and place fixed by the Court for the adjourned hearing, shall be the date, time and place stated in the new notice of proceedings.

Absence of respondent.

20. Where notice of proceedings has been served on the respondent in accordance with section 19 and the respondent fails to appear in person at the time fixed for the hearing the Court may-

- (a) proceed to hear and determine the matter in the respondent's absence; or
- (b) where the Court is satisfied, having regard to the materials before it, that it is appropriate to do so, adjourn the matter and issue a warrant for the respondent to be apprehended and brought before the Court.

21. If, on the date of the hearing of an application for an order, the respondent appears in Court, but neither the applicant nor the person on whose behalf the application is made appears either in person or is represented by his attorney-at-law, the Court may-

Absence of
applicant.

- (a) dismiss the application;
- (b) having received a reasonable excuse for the non-appearance of the applicant or other person, adjourn the hearing upon such terms as it considers just; or
- (c) where it is satisfied, having regard to the submissions before it, that it is appropriate for evidence to be given by affidavit, so direct, but the Court may, on the application of any other party, order the attendance for cross-examination of the deponent of any such affidavit.

22. Where the Court proposes to make an order or an Interim Order, and the respondent is before the Court, the Court shall explain to the respondent -

Explanation of
Orders.

- (a) the purpose, terms and effect of the order;
- (b) the consequences of failing to comply with the order; and
- (c) the means by which the order may be varied or discharged.

23. Where an order or Interim Order is made or varied by the Court -

Service of Orders.

- (a) the Clerk shall arrange for the order or Interim Order to be drawn up on the prescribed forms, in the Schedule; and
- (b) the Court shall cause a copy of the order or Interim Order to be served on-
 - (i) the respondent;

- (ii) any other person to whom the order or Interim Order is to apply, whether or not the person is a party to the proceedings; and
- (iii) the police officer in charge of the station located nearest to the area where the respondent or applicant resides; and
- (c) if it relates to real property, it shall be lodged with the Registrar of Titles by the applicant as a *lis pendens*.

Service other than
personal service.

24. (1) Where the Court has not been able to serve an Interim Order or an order, as the case may be, upon the respondent personally, it may make an order for substituted service of the Interim Order or order, as the case may be.

(2) For the purpose of subsection (1) "substituted service" means-

- (a) registered post to the last known address of the respondent;
- (b) leaving the document at the last known address of the respondent;
- (c) service by advertisement in two weekly newspapers which service is deemed to have been effected at midnight on the date of the later advertisement, the cost to be borne by the applicant; or
- (d) such other manner as the Court may direct.

Respondent to have
notice.Breach of
Orders

25. A respondent shall not be bound by an order or Interim Order -

- (a) where he was not present at the time of the making of the order; or
- (b) where the order has not been served on him personally or in accordance with section 24.

PART VIII
ENFORCEMENT OF ORDERS

26. (1) Subject to subsection (2), a person against whom an order has been made and who- Breach of Orders.

- (a) has had notice of the order; and
- (b) contravenes any provision of the order or fails to comply with any direction of the Court,

commits an offence and is liable-

- (i) on a first conviction to a fine not exceeding nine thousand dollars or imprisonment for a term of three months;
- (ii) on a second conviction to a fine not exceeding fifteen thousand dollars or to imprisonment for a term not exceeding twenty-four months or to both the fine and imprisonment;
- (iii) on a third or any subsequent conviction to imprisonment for a term not less than twenty-four months but not exceeding five years.

(2) Where an order contains a direction of the Court pursuant to section 4(1)(b)(viii) that the respondent seeks counselling or therapy and it is brought to the attention of the Court that the respondent refuses or neglects to comply with such a direction and the Court finds that such refusal or neglect was unreasonable, the respondent commits an offence and is liable to a fine of three thousand dollars.

PART IX**POLICE POWERS OF ENTRY AND ARREST**

Duties of police
officers.

27. (1) A police officer shall respond to every complaint or report alleging domestic violence whether or not the complainant is the victim.

(2) It shall be the duty of a police officer responding to a domestic violence complaint to complete a Domestic Violence Report which shall form part of a National Domestic Violence Register to be maintained by the Commissioner of Police.

(3) A Domestic Violence Report shall be in the form prescribed as Form 15 of the Schedule and shall include but not be limited to-

- (a)** the name of the parties;
- (b)** the relationship and sex of the parties;
- (c)** information relating to the history of domestic violence between the parties;
- (d)** the date and time the complaint was received;
- (e)** the type of abuse and the weapon used, if any.

Issue of Warrant.

28. Where a Magistrate is satisfied, by information on oath, that -

- (a)** there are reasonable grounds to suspect that a person on premises has suffered or is in imminent danger of physical injury at the hands of another person in a situation amounting to domestic violence and needs assistance to deal with or prevent the injury; and
- (b)** a police officer has been refused permission to enter the premises for the purpose of giving assistance to the first mentioned person in paragraph (a),

the Magistrate may issue a warrant in writing authorising a police officer to enter the premises specified in the warrant at any time within twenty-four hours after the issue of the warrant and subject to any conditions specified in the warrant, to take such action as is necessary to prevent the commission or repetition of the offence or a breach of the peace or to protect life or property.

29. (1) For the avoidance of doubt, a police officer may act in accordance with the provisions of the Criminal Law and Procedure Act where he has reasonable cause to believe that a person is engaging in or attempting to engage in conduct which amounts to physical violence and failure to act immediately may result in serious physical injury or death.

Police powers of entry and arrest without warrant. Ch. 12:01.

(2) Nothing in this section authorises the entry onto premises by a police officer, for the purpose of any search or the arrest of any person, otherwise than in connection with the conduct referred to in subsection (1).

(3) Where a police officer exercises a power of entry under subsection (1) he shall immediately submit a written report to the Commissioner of Police, through the Head of the Division where the incident occurred, such report to contain the following information -

- (a) the reasons for entering the premises without a warrant;
- (b) the offence being committed or about to be committed; and
- (c) the manner in which the investigation was conducted and the measures taken to ensure the protection and safety of the person at risk.

(4) The report referred to in subsection (3) shall be submitted to the Director of Public Prosecutions by the Commissioner of Police within seven days of receiving the report.

(5) Where a complaint is made against a police officer by a person resident in premises alleging that the officer's entry onto the premises under subsection (1) was unwarranted, a senior police officer shall be appointed to investigate the complaint and submit a copy of its report to the Commissioner of Police and the Director of Public Prosecution within fourteen days of the complaint having been made.

(6) Where the investigation of the senior police officer finds that the entry under subsection (1) was unwarranted, the Commissioner of Police shall submit the report to the Police Service Commission and such report may form the basis of disciplinary action against the police officer.

Duty of police
officer to assist
victims.

30. Where a police officer has entered premises in furtherance of sections 28 or 29 (1) he shall-

- (a) give assistance to a person who has suffered injury;
- (b) ensure the welfare and safety of a child dependant or other vulnerable persons who may be on the premises; and
- (c) prevent any further breach of the law.

Powers of arrest
where Order is in
force.

31. (1) Where an order is in force and a police officer believes on reasonable grounds that a person has committed a breach of the order the police officer may detain and arrest that person without a warrant for the protection of a prescribed person.

(2) No person shall be arrested under this section unless the police officer believes that the arrest of the person is reasonably necessary for the protection of a prescribed person.

(3) For the purposes of subsection (1), the police officer shall take into account -

- (a) the seriousness of the act which constituted the alleged breach;

- (b) the time that has elapsed since the alleged breach was committed;
- (c) the restraining effect of other persons or circumstances on the respondent; and
- (d) the need for a cooling-off period.

(4) Where an arrest is made under this section -

- (a) the person arrested shall be entitled to make a telephone call to one person of his choice, other than the applicant or a prescribed person;
- (b) it shall be the duty of the police officer who makes the arrest to ensure that the person arrested is informed, as soon as practicable after the arrest, of the right conferred by paragraph (a).

32. (1) Subject to subsection (2), where a person is arrested under section 28 or 29, the person shall be charged in accordance with the relevant provisions of the criminal law for committing or attempting to commit any offence under that law and shall be dealt with accordingly.

Existing Criminal
Law to apply.

(2) Where an application for a Protection Order has been made or where a person has been arrested and charged under section 28 or 29 and after hearing all the evidence the Court is satisfied that-

- (a) the incident was an isolated one;
- (b) there are circumstances which make it desirable to preserve the family unit; and
- (c) the conduct complained of is not sufficiently grave to warrant the imposition of either the order or the penalty, as the case may be,

it may, with the consent of the applicant or complainant, as the case may be, withhold the granting of a Protection Order or the imposition of any penalty as prescribed by law and require the

respondent or defendant to enter into a bond of good behaviour for a period not exceeding six months.

(3) Where a bond of good behaviour has been entered into under subsection (2) the Court may prescribe such additional conditions as follows-

- (a) that the parties receive professional counselling, including family counselling;
- (b) that the parties report to a probation officer at certain fixed intervals; or
- (c) that the matter be reviewed by the Court within three months.

(4) A bond of good behaviour entered into under subsection (2) shall be forfeited where the Court is satisfied that-

- (a) the respondent or defendant has continued to engage in conduct amounting to domestic violence against the complainant;
- (b) based on a report from a probation officer, social worker, police officer or such other person, domestic violence is likely to be perpetrated against the applicant or complainant; or
- (c) the applicant or complainant has become fearful of the respondent or defendant to the extent that he is no longer willing to continue the relationship.

Refractory witnesses.

33. (1) Where direct oral evidence of a fact would be admissible in any proceedings under this Act, a document containing a statement made by the complainant which forms part of the record compiled by the police and tending to establish that fact, shall be admissible in circumstances where-

- (a) the complainant refuses to be sworn as a witness; or
- (b) having been sworn as a witness, the complainant gives oral evidence which is inconsistent or contradictory to the statement forming part of the police record.

(2) A statement admitted as evidence by virtue of subsection (1), shall be treated by the Court as a statutory declaration made under the Statutory Declarations Act and the Court may draw any reasonable inference from the form or content of that statement and determine the weight, if any, to be attached to the evidence of any fact stated therein.

34. (1) Notwithstanding the Magistrate's Code of Procedure Act where the Court is required to determine whether to grant bail in respect of an offence under this Act, the Court shall consider-

Matters to be
considered in
granting bail.
Ch. 4:20.

- (a) the need to protect the applicant from domestic violence;
- (b) the welfare of a child where the defendant or victim of the alleged offence has custody of that child;
- (c) the welfare of any child being a member of the household; and
- (d) any hardship that may be caused to the defendant or other members of the family if bail is not granted.

(2) Notwithstanding the Magistrate's Code of Procedure Act the Court in granting bail, may order that the recognisance be subject to such of the following conditions as the Court considers appropriate -

Ch. 4:20.

- (a) that the defendant not harass or molest or cause another person to harass or molest the victim of the alleged offence;
- (b) that the defendant not be on the premises in which the victim resides or works;
- (c) that the defendant not be in a locality in which are situated the premises in which the victim resides or works; and
- (d) where the defendant continues to reside with the victim, that the defendant not enter or remain in

the place or residence while under the influence of alcohol or a drug.

(3) Where a police officer believes on reasonable grounds that a person, who has been admitted to bail subject to one or more conditions, has failed to comply with a condition of the recognisance, the police officer may, notwithstanding anything in any other law, arrest the person without a warrant.

PART X

GENERAL

Conduct of proceedings.

35. (1) No person shall be present during the hearing of any proceedings under this Act (other than criminal proceedings) except -

- (a) officers of the Court;
- (b) parties to the proceedings and their counsel;
- (c) witnesses;
- (d) any other person permitted by the Judge or Magistrate to be present.

(2) A witness shall leave the court-room if asked to do so by the Judge or Magistrate.

(3) Nothing in this section shall limit any other power of the Court to hear proceedings *in camera* or to exclude any person from the Court.

Evidence.

36. In any proceedings under this Act (other than criminal proceedings) including proceedings by way of appeal, the Court may receive such evidence as it thinks fit whether it is, or is not otherwise admissible in a court of law or not.

Standard of proof.

37. Every question of fact arising in any proceedings under this Act (other than criminal proceedings) shall be decided on a balance of probabilities.

38. (1) Subject to subsection (4), no person shall publish any report of proceedings under this Act (other than criminal proceedings) except with the leave of the Court which heard the proceedings.

Restriction of
publication of
reports of proceed-
ings.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars.

(3) Nothing in this section limits -

(a) the provisions of any other enactment relating to the prohibition or regulation of the publication of reports or particulars relating to judicial proceedings; or

(b) the power of the Court to punish any contempt of court.

(4) This section shall not apply to the publication of any report in any publication that -

(a) is of a *bona fide* professional or technical nature; or

(b) is intended for circulation among members of the legal or medical professions, officers of the Public Service, psychologists, marriage counsellors or social welfare workers.

39. In any proceedings under this Act a court may make any order by the consent of all the parties to such proceedings.

Order by consent.

40. The Court may, on making an order under this Act, recommend either or both parties to participate in counselling of such nature as the Court may specify.

Counselling.

41. (1) A person aggrieved by-

(a) the making of an order by the Court; or

(b) the refusal of the Court to make an order,

may, within twenty-eight days after the decision of the Court, appeal to the Court of Appeal.

Appeals.

(2) Except where the Court which makes an order under this Act otherwise directs, the operation of such order shall not be suspended by virtue of an appeal under this section, and every such injunction or other order may be enforced in the same manner and in all respects as if no appeal under this section were pending.

**Protection of
mortgage.**

42. (1) The rights conferred on any person in respect of any property by an order made under this Act shall be subject to the rights of any other person entitled to the benefit of any mortgage, security, charge or encumbrance affecting the property if such mortgage, security, charge or encumbrance was registered before the order was registered or if the rights of that other person entitled to that benefit arise under an instrument executed before the date of the making of the order.

(2) Notwithstanding anything in any enactment or in any instrument, no money payable under any such mortgage, security, charge or encumbrance shall be called up or become due by reason of the making of an order under this Act.

Rules of Court.

43. Rules of Court may be made for the purpose of regulating the practice and procedure of the Court in proceedings under this Act, providing for such matters as are necessary for giving full effect to the provisions of this Act and for the due administration thereof.

**Power to make
Regulations.**

44. The Minister may make Regulations subject to affirmative resolution of Parliament for giving effect to the provisions of this Act and in particular for -

- (a) designating persons who could provide counselling service;
 - (b) prescribing qualifications and experience for persons who may be counsellors; and
 - (c) amending, adding or substituting any forms.
-

**SCHEDULE
FORM 1****(Sections 4 (1), 5
(1))****Protection Against Domestic Violence Act, 2001
APPLICATION FOR PROTECTION ORDER/INTERIM
PROTECTION ORDER**

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respondent

I.....
(Name of Applicant)of.....
(Address)hereby apply under section 4/5 of the Protection Against Domestic Violence
Act 2001 for a Protection Order/Interim Protection Order to be made by
theCourt against
(Name of Respondent)who is.....
(Specify relationship to named Respondent)and who resides at.....
(Specify address of Respondent)

in respect of the following conduct.

(Specify dates, times, place and details of alleged conduct).

.....
Applicant

Dated thisday of

(Sections 4 (2), 5
(1))

FORM 2

Protection Against Domestic Violence Act, 2001
**PROTECTION ORDER/INTERIM PROTECTION
ORDER**

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respondent

The Court having heard an application made by

(Name of Applicant)

in respect of the conduct or threatened conduct of

(Name of Respondent)

towards.....

(Name of person to be protected)

NOW THIS COURT ORDERS, that for the period from theday
of....., to theday of....., YOU

(Name of Respondent)

1. Shall not engage in the following conduct:
(Specify conduct)
2. Shall not engage in any conduct that constitutes an offence under this Act.
3. Shall comply with the following prohibitions and conditions:

(Specify prohibitions and conditions imposed and any period or periods for which they may be imposed if different from the period of the Protection/Interim Protection Order).

If you the said.....fail to comply with any of the terms of this Order

(Name of Respondent)

you shall be liable to imprisonment and/or a fine pursuant to section 26 of the Act.

.....
Registrar/Magistrate

Dated this.....day of

FORM 3

(Section 6)

Protection Against Domestic Violence Act, 2001
APPLICATION FOR DISCHARGE OF PROTECTION ORDER OR
INTERIM PROTECTION ORDER

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respondent

Ihereby apply under section 6

*(Name of Applicant)*of the Protection Against Domestic Violence Act, 2001 for discharge of the
Protection Order made against on theday*(Name of person against whom the Order was made)*of....., by theCourt (a copy of which
is

attached to the said application) in respect of certain conduct or threatened

conduct towards

(Name of person who is protected by an Order)

I ask for a discharge of the Order on the following grounds:
(specify grounds and details.)

Dated thisday of.....

.....
Applicant

(Section 6)

FORM 4

Protection Against Domestic Violence Act, 2001

ORDER DISCHARGING PROTECTION ORDER/INTERIM
PROTECTION ORDER

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respondent

The Court, having heard an application made under section 4/5 of the
Protection Against Domestic Violence Act, 2001 by

(Name of Applicant)

in respect of the conduct or threatened conduct of

..... towards.....and the Court

*(Name of Respondent)**(Name of person protected by the Order)*

having on theday of....., made an Order, a copy of which is

attached, prohibiting the Respondent from engaging in the conduct specified
therein.

NOW the Court on the application of..... for a discharge of the
Order and being satisfied that the Order should be discharged, does this day
Order that the Protection Order/ Interim Protection Order be discharged.

Dated this..... day of

.....
Registrar/Magistrate

FORM 5

(Sections 7 and 8)

Protection Against Domestic Violence Act, 2001

APPLICATION FOR OCCUPATION ORDER/INTERIM
OCCUPATION ORDER

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respondent

I

(Name of Applicant)

of

(Address)

hereby apply under section 7/8 of the Protection Against Domestic Violence
Act 2001 for an Occupation Order/Interim Occupation Order to be made by
the

Court against

(Name of respondent)

who is

(Specify relationship to the named respondent)

and who resides at

(Specify address of respondent)

in respect of the following conduct: (Specify dates, times, place and details of
alleged conduct.)

Dated this.....day of.....

.....

Applicant

(Sections 7 and 8)

FORM 6

Protection Against Domestic Violence Act, 2001

OCCUPATION ORDER/INTERIM OCCUPATION ORDER

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respondent

The Court having heard an application made under section 7/8 of the
Protection Against Domestic Violence Act, 2001 by.....

(Name of Applicant)

in respect of the conduct or threatened conduct of.....

(Name of Respondent)

towards

(Name of person to be protected)

NOW this Court Orders that, for the period from the day of
.....to theday of.....

you.....

(Name of Respondent)

1. Shall not engage in the following conduct:

(specify conduct)

2. Shall not engage in conduct that constitutes a domestic violence offence;

3. Shall comply with the following prohibitions and conditions:

(specify prohibitions and conditions and any pe-
riod or periods for which they may be imposed.)

If you the said.....fail to comply with any of the terms of this
Order you shall be liable to imprisonment and/or a fine pursuant to section
26 of the Act.

Dated this..... day of

.....
Registrar/Magistrate

2001

**PROTECTION AGAINST
DOMESTIC VIOLENCE**

ACT 22

FORM 7

(Section

Protection Against Domestic Violence Act, 2001

**APPLICATION FOR VARIATION OR DISCHARGE OF
OCCUPATION ORDER/INTERIM OCCUPATION ORDER**

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respond-

ent

I

(Name of Applicant)

hereby apply under section 10 of the Protection Against Domestic Violence Act 2001 for a variation/discharge of the Order made against

.....

(Name of person against whom the Order was made)

on by the Court
(a copy of which is attached to the said application) in respect of certain
conduct

or threatened conduct towards

.....

(Name of person who is protected by Order)

There has been no previous proceedings in any Court in respect of the said
Order and I now ask for a discharge or variation of that order to be made.

*[Specify details of variation/grounds for dis-
charge]*

Dated this.....day of.....

.....

Applicant

(Section 10)

FORM 8

Protection Against Domestic Violence Act, 2001

VARIATION OR DISCHARGE OF INTERIM OCCUPATION ORDER

No. of 20.....

Between

A. B.
cant

Appli-

and

C. D.

Respondent

The Court, having heard an application made under section 10 of the Protec-
tion Against Domestic Violence Act 2001 by.....
(Name of Applicant)

in respect of the conduct or threatened conduct of.....

.....
(Name of Respondent)

towards and the Court

(Name of person to be protected)

having on the.....day of..... made an Order, a copy of which is

(Date of original order)

attached, prohibiting the Respondent from engaging in the conduct specified
therein:Now the Court on the application ofthis day or-
ders

(Name of Applicant)

that the Occupation Order or (Interim Occupation Order) be:

1. Discharged

(Specify effective date of discharge)

2. Varied as follows:.....

(Specify details of variation)

Dated thisday of.....

.....
Registrar/Magistrate

FORM 9

(Section 11/12)

Protection Against Domestic Violence Act, 2001

APPLICATION FOR TENANCY ORDER/INTERIM
TENANCY ORDER

No. of 20.....

Between

A. B.
cant

Appli-

and

C. D.

Respondent

I

(Name of Applicant)

of

(Address)

.....
hereby apply under section 11/12 of the Protection Against Domestic Violence
Act 2001 for a Tenancy Order/Interim Tenancy Order to be made by the Court
against

(Name of respondent)

who is

(Specify relationship to the named respondent)

and who resides at

(Specify address of respondent)

in respect of the following conduct. (specify dates, time, place and details of
alleged conduct.)

Dated this.....day of.....

.....

Applicant

(Section 11(2), 12)

FORM 10

Protection Against Domestic Violence Act, 2001

TENANCY ORDER/INTERIM TENANCY ORDER

No. of 20....

Between

A. B.
cant

Appli-

and

C. D.
ent

Respond-

The Court having heard an application made under section 11(1)/12(1) of the
Protection Against Domestic Violence Act 2001 by.....

(Name of Applicant)

in respect of the conduct or threatened conduct of.....

(Name of Respondent)

towards

(Name of person to be protected)

Now This Court ORDERS, that for the period from theday
of.....

to theday of..... you.....

(Name of Respondent)

1. Shall not engage in the following conduct;
(specify conduct)
2. Shall not engage in any conduct that constitutes an offence under
this Act;
3. Shall comply with the following prohibitions and conditions.

(Specify Prohibitions and Conditions and any period or periods for
which they may be imposed.)

Dated this..... day of

.....
Registrar/Magistrate

FORM 11

(Section 14)

Protection Against Domestic Violence Act, 2001

APPLICATION TO DISCHARGE TENANCY ORDER AND
REVEST TENANCY

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respond-

ent

I

*(Name of Applicant)*hereby apply under section 14 of the Protection Against Domestic Violence Act
2001 for a discharge of the order made against

.....

*(Name of person against whom the Order was made)*on theday of..... by the Court (a copy of which is attached to
the said application) in respect of certain conduct

or threatened conduct towards

.....

*(Name of person who is protected by Order)*There has been no previous proceedings in any Court in respect of the said
order and I now ask for a discharge of that order to be made.

Dated this.....day of.....

.....

Applicant

(Section 14)

FORM 12

Protection Against Domestic Violence Act, 2001

ORDER DISCHARGING TENANCY ORDER AND
REVESTING TENANCY

No. of 20.....

Between

A. B.
cant

Appli-

and

C. D.
ent

Respond-

The Court, having heard an application made under section 14 of the Protection
Against Domestic Violence Act, 2001 by.....
(Name of Applicant)

in respect of the conduct or threatened conduct of.....

.....
(Name of Respondent)

towardsand having on

(Name of person to be protected)

the day ofmade an order, a copy of which is attached,

(Date of original order)

prohibiting the respondent from engaging in the conduct specified therein:

Now the Court on the application ofthis day orders

(Name of Applicant)

that the Tenancy Order be discharged and revested inwith

effect from

Dated this.....day of

.....
Registrar/Magistrate

FORM 13

(Section 19 (2))

Protection Against Domestic Violence Act, 2001

NOTICE OF PROCEEDINGS

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respond-

ent

TO THE RESPONDENT

An application under section ... of the Protection Against Domestic Violence Act, 2001 for a Protection Order/Occupation Order/Tenancy Order has been made by

(Name of Applicant)

against you.

A copy of the application is attached. The application has been set down for hearing on theday of....., atA.M./P.M. at

*(time)**(place)*

IF YOU DO NOT APPEAR IN PERSON AT THE HEARING OF THE APPLICATION, THE COURT MAY -

- (a) deal with the application in your absence; or
- (b) issue a warrant for your arrest and to be brought before the Court.

Dated this.....day of.....

Clerk of Court/Registrar

(Section 19 (5))

FORM 14

Protection Against Domestic Violence Act, 2000

AFFIDAVIT FOR USE IN PROVING SERVICE OF PROCESS

No. of 20.....

Between

A. B.

Applicant

and

C. D.

Respondent

Return of service of process in respect of Domestic Violence Offence(s) for the
..... Court.

Name of Applicant	Name of Respondent	Document Served	Date of Service	Place of Service	Mode of Service

I do swear that the above Return of Service is true and in accordance with the facts of such Service.

.....
(Deponent)

Sworn to by me the above-named Deponent
[Name and rank (where applicable) of Deponent]

Dated thisday of.....

.....
Registrar/Magistrate

FORM 15

(Section 27)

Protection Against Domestic Violence Act, 2001
DOMESTIC VIOLENCE POLICE REPORT

STATION..... DIVISION..... Reference No.

Complaint made

by.....

*Surname**First name*

Address.....

Relationship to Victim or Alleged Offender

Telephone No.

Mode of Report

(Telephone, Personal, Referred (by whom), Etc.)

Date Time Diary Reference

Recorded by: (Number/Rank/Name)

Name of Victim

*Surname**First name*

..... Religion

Address

Telephone No. Marital Status Relationship to Offender.....

Sex Age Occupation

Address of Employment

Name of Alleged Offender

*Surname**First name*

..... Religion

Address

Sex Age Marital Status..... Telephone No.....

Occupation Address of Employment

Name of Witness

Address

Relationship to Victim/Alleged Offender

BRIEF FACTS AS REPORTED

.....
.....
.....
.....
.....
.....
.....

Extent of Inquiry

Medical Report Form Attached (*tick*) Yes ☐ No ☐

Instrument used to inflict Injury

Whereabouts of children at time of incident

State whether previous complaints were made (*tick*) Yes ☐ No ☐

Date Time Diary Reference

Investigator: (*Number/Rank/Name*)

Action taken

Other previous complaints made

Date Time Diary Reference

Investigator: (*Number/Rank/Name*)

Action taken

Is Protection Order (P. O.) in existence? (*tick*) Yes ☐ No ☐

Date of Issue

Comments

Duration (P.O.) Court of Issue

ACTION TAKEN WITH RESPECT TO PRESENT REPORT:

Date/Time	Action taken, by whom
.....
.....
.....
.....

ARREST MADE:

Date of Arrest Mode of Arrest

Present status of report

CHARGES PREFERRED:

- (1)
 (2)
 (3)
 (4)

STATE REASON(S) IF NO CHARGES PREFERRED:

.....

AGENCY TO WHICH REPORT REFERRED/FOLLOW UP ACTION:

.....

..... <i>Investigator</i> Supervising Officer (inspector and above)
------------------------------	---

..... <i>Date</i> <i>Date</i>
----------------------	----------------------

Passed in the House of Assembly this 17th day of
December, 2001.

RUTH SIMON (MRS.)
Clerk of the House of Assembly (Ag.)

DOMINICA

Printed by the Government Printer at the Government Printery, Roseau

(Price \$10.20)