
Changes to legislation: Domestic Violence, Crime and Victims Act 2004, Paragraph 36 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 10

MINOR AND CONSEQUENTIAL AMENDMENTS

Family Law Act 1996 (c. 27)

- 36 (1) Section 42 of that Act (non-molestation orders) is amended as follows.
- (2) After subsection (4) insert—
- “(4A) A court considering whether to make an occupation order shall also consider whether to exercise the power conferred by subsection (2)(b).
- (4B) In this Part “the applicant”, in relation to a non-molestation order, includes (where the context permits) the person for whose benefit such an order would be or is made in exercise of the power conferred by subsection (2)(b).”
- (3) In subsection (5)(a) omit the words from “or” to “made”.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 9 para. 26A inserted by [2015 c. 2 Sch. 3 para. 12](#)