

DOMESTIC VIOLENCE (AMENDMENT) BILL 2007

**COMMITTEE STAGE**

Amendments to be moved by the Secretary for  
Labour and Welfare

- | <u>Clause</u> | <u>Amendment Proposed</u>  |
|---------------|--|
| 2             | By deleting "Secretary for Health, Welfare and Food" and substituting "Secretary for Labour and Welfare".  |
| 4(2)(g)       | (a) In the English text, by deleting "excluding" and substituting "provision".<br>(b) In the English text, by adding "prohibiting" before "the respondent -".<br>(c) In the proposed section 3(1)(c)(i) and (ii), by deleting "from -" and substituting "from entering or remaining in -". |
| 4(5)          | In the proposed section 3(3), by deleting everything after "means a" and substituting -<br>"minor -<br>(a) who is a child (whether a natural child, adoptive child or step-child) of the applicant or respondent concerned; or   |

**ALL PASSED**

(b) who is living with the applicant concerned.”.

5 In the proposed section 3A(4) (b), by deleting “excluding the respondent from -” and substituting “prohibiting the respondent from entering or remaining in -”.

7(1) (a) In the proposed section 5(1), by deleting everything before “the court” and substituting -

“(1) Where a court grants, pursuant to section 3 or 3A, or pursuant to any other power upon an application made by a party to a marriage against the other party to the marriage, an injunction containing -

(a) a provision restraining any person from using violence against another person (“protected person”); or

(b) a provision prohibiting any person from entering or remaining in any premises or area,”.

(b) In the proposed section 5(1A), by deleting “an authorization of arrest under subsection (1)” and substituting “under subsection (1) an authorization of arrest to an injunction granted against a person”.

(c) In the proposed section 5(1A) (a), by deleting

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"respondent" and substituting "person".

- (d) In the proposed section 5(1A)(b), by deleting "respondent will likely cause" and substituting "person will likely cause actual".

- 7 (a) By adding -

"(2A) Section 5(2) is amended by adding "or remaining in" after "entry into".".

- (b) By adding -

"(5) Section 5(4) is amended by adding "warning day or black rainstorm" after "gale".".

- 8(3)(a) By adding "under section 3" after "made".

- 10 In the proposed section 7A(3)(b)(ii), in the Chinese text, by repealing everything after "包括" and substituting "在聆訊進行時備呈法院的社會福利署署長的任何報告。".

- 17 In the proposed Schedule, in the English text, by adding "actual" after "likely cause".

**ALL PASSED**