

Statutory Document No. 2022/0308



Domestic Abuse Act 2020

DOMESTIC ABUSE (TRAVEL NOTIFICATION REQUIREMENTS) REGULATIONS 2022¹

Approved by Tynwald: 13 December 2022

Coming into Operation: in accordance with regulation 2

The Department of Home Affairs makes the following Regulations under section 29 of the Domestic Abuse Act 2020.

1 Title

These Regulations are the Domestic Abuse (Travel Notification Requirements) Regulations 2022.

2 Commencement

If approved by Tynwald¹ these Regulations come into operation on the day that section 29 of the Act comes into operation.

3 Interpretation

In these Regulations, unless the context otherwise requires —

“**the Act**” means the Domestic Abuse Act 2020; and

“**relevant person**” means a person who is subject to a Domestic Abuse Protection Order.

4 Point of arrival in a country

(1) For the purpose of section 29(2)(b) of the Act and of these Regulations, a relevant person’s point of arrival in a country is to be determined in accordance with paragraph (2) and (3).

(2) In a case in which the relevant person will arrive in a country by rail, sea or air, the relevant person’s point of arrival is the station, port or airport at which the relevant person will first disembark.

¹ By section 29(4) of the Domestic Abuse Act 2020, these Regulations are subject to the “affirmative” Tynwald procedure, being the procedure described in section 31 of the Legislation Act 2015.

- (3) In a case in which the relevant person will arrive in a country by any means other than those mentioned in paragraph (2), the relevant person's point of arrival is the place at which the relevant person will first enter the country.

5 Notification to be given before leaving the Isle of Man

- (1) A relevant person who intends to leave the Isle of Man for a period of 3 days or longer must give a notification under section 29(2) of the Act in accordance with paragraphs (2) and (3).
- (2) Where a relevant person knows the information required to be disclosed under section 29(2) of the Act (including the information referred to in regulation 6) more than 7 days before the date of the relevant person's intended departure, the relevant person shall give a notification which sets out that information and as much of the information required by regulation 8 as the relevant person has at the time of the giving of the notification —
 - (a) not less than 7 days before the intended date of departure (the 7 day notification requirement); or
 - (b) as soon as reasonably practicable but not less than 24 hours before the intended date of departure, if and only if the relevant person has a reasonable excuse for not complying with the 7 day notification requirement.
- (3) Where the relevant person does not know some or all of the information required to be disclosed by section 29(2) of the Act 7 or more days before the date of the relevant person's intended date of departure, the relevant person must give, not less than 24 hours before that date, a notification which sets out that information, and as much of the information required by regulation 8 as the relevant person has.

6 Additional information to be disclosed in a notification under section 29(2)(c) of the Act

- (1) In addition to the information required by section 29(2)(a) and (b) of the Act, a relevant person must notify the following information under section 29 of the Act, where the relevant person has such information —
 - (a) the identity of any carrier or carriers the relevant person intends to use for the purposes of the relevant person's departure from and return to the Isle of Man;
 - (b) in a case in which the relevant person intends to return to the Isle of Man on a particular date, that date; and
 - (c) in a case in which the relevant person intends to return to the Isle of Man at a particular point of arrival, that point of arrival.

7 Change to information notified under section 29(2) of the Act

- (1) Where —
 - (a) a relevant person has given notification under section 29(2) of the Act; and
 - (b) at any time prior to the relevant person's intended departure from the Isle of Man, the information in that notification becomes inaccurate or incomplete,the relevant person must give a further notification under section 29(2) of the Act to provide the accurate and complete information required.
- (2) A further notification given as required under paragraph (1) must be given not less than 2 hours before the relevant person's intended departure from the Isle of Man.

8 Notification to be given on return to the Isle of Man

- (1) This regulation applies to a relevant person who —
 - (a) is required to give a notification under section 29(2) of the Act;
 - (b) has left the Isle of Man; and
 - (c) subsequently returns to the Isle of Man.
- (2) Except as provided by paragraph (3), a relevant person to whom this regulation applies must give a notification under section 29(3) of the Act within 3 days of the relevant person's return to the Isle of Man.
- (3) A relevant person to whom this regulation applies need not give a notification under section 29(3) of the Act in any case in which —
 - (a) the relevant person gave a relevant notification under section 29(2) of the Act which notified —
 - (i) a date under regulation 6(1)(b); and
 - (ii) a point of arrival under regulation 6(1)(c); and
 - (b) the relevant person's return to the Isle of Man occurred on that notified date and notified point of arrival.

9 Information to be disclosed in a notification under section 29(3) of the Act

A notification under section 29(3) of the Act must disclose the date of the relevant person's return to the Isle of Man and the relevant person's point of arrival in the Isle of Man.

MADE 14 NOVEMBER 2022

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.