



Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011

2011 asp 15

PART 3

GENERAL

16 Ancillary provision

- (1) The Scottish Ministers may by order make such incidental, consequential, transitional, transitory or saving provision as they consider appropriate for the purposes, or in consequence, of any provision of this Act.
- (2) An order under subsection (1) may modify any enactment (including this Act).

17 Subordinate legislation

- (1) Any power conferred by this Act on the Scottish Ministers to make orders is exercisable by statutory instrument.
- (2) Subject to subsection (3), a statutory instrument containing an order under this Act (other than one under section 19(2)) is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (3) No order under—
 - (a) section 10(1),
 - (b) section 16(1) containing provisions which add to, replace or omit any part of the text of any Act,may be made unless a draft of the statutory instrument containing the order has been laid before, and approved by resolution of, the Scottish Parliament.

18 Crown application

- (1) No contravention by the Crown of—
 - (a) section 9(1), or
 - (b) any provision made by virtue of section 10,

makes the Crown criminally liable.

- (2) But the Court of Session may, on the application of any public body or office holder having responsibility for enforcing section 9(1) or any provision made by virtue of section 10, declare unlawful any act or omission of the Crown which constitutes such a contravention.
- (3) Despite subsection (1), section 9(1) and any provision made by virtue of section 10 apply to persons in the public service of the Crown as they apply to other persons.
- (4) Nothing in this Act affects Her Majesty in Her private capacity.

19 Short title and commencement

- (1) The short title of this Act is the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011.
- (2) This Act (other than this section) comes into force on such day as the Scottish Ministers may by order appoint.