
Changes to legislation: There are currently no known outstanding effects for the Forced Marriage (Civil Protection) Act 2007, Cross Heading: Applications and other occasions for making orders. (See end of Document for details)

SCHEDULES

SCHEDULE 1 **N.I.**

PROTECTION AGAINST FORCED MARRIAGE: NORTHERN IRELAND

PART 1 **N.I.**

FORCED MARRIAGE PROTECTION ORDERS

Applications and other occasions for making orders

- 3 (1) The court may make a forced marriage protection order—
- (a) on an application being made to it; or
 - (b) without an application being made to it but in the circumstances mentioned in sub-paragraph (6).
- (2) An application may be made by—
- (a) the person who is to be protected by the order; or
 - (b) a relevant third party.
- (3) An application may be made by any other person with the leave of the court.
- (4) In deciding whether to grant leave, the court must have regard to all the circumstances including—
- (a) the applicant's connection with the person to be protected;
 - (b) the applicant's knowledge of the circumstances of the person to be protected; and
 - (c) the wishes and feelings of the person to be protected so far as they are reasonably ascertainable and so far as the court considers it appropriate, in the light of the person's age and understanding, to have regard to them.
- (5) An application under this paragraph may be made in other family proceedings or without any other family proceedings being instituted.
- (6) The circumstances in which the court may make an order without an application being made are where—
- (a) any other family proceedings are before the court (“the current proceedings”);
 - (b) the court considers that a forced marriage protection order should be made to protect a person (whether or not a party to the current proceedings); and
 - (c) a person who would be a respondent to any such proceedings for a forced marriage protection order is a party to the current proceedings.
- (7) In this paragraph—

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“family proceedings” has the same meaning as in the Family Homes and Domestic Violence (Northern Ireland) Order 1998 (S.I. 1998/1071 (N.I.6)) (see Article 2(2) and (3)) but also includes—

- (a) proceedings under the inherent jurisdiction of the High Court in relation to adults;
- (b) proceedings in which the court has made an emergency protection order under Article 63 of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I.2)) which includes an exclusion requirement (as defined in Article 63A(3) of that Order); and
- (c) proceedings in which the court has made an order under Article 69 of the Order of 1995 (recovery of abducted children etc.); and

“relevant third party” means a person specified, or falling within a description of persons specified, by order of the Department of Finance and Personnel.

- (8) An order of the Department of Finance and Personnel under sub-paragraph (7) may, in particular, specify that Department.

Commencement Information

- I1** Sch. 1 para. 3(1)(2)(a)(3)-(6) in force at 25.11.2008 by [S.R. 2008/446](#), [art. 2\(a\)](#)
- I2** Sch. 1 para. 3(7) in force at 25.11.2008 for specified purposes by [S.R. 2008/446](#), [art. 2\(a\)](#)

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