

*Changes to legislation:* There are currently no known outstanding effects for the  
Forced Marriage (Civil Protection) Act 2007, Part 4. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

#### PROTECTION AGAINST FORCED MARRIAGE: NORTHERN IRELAND

#### PART 4

#### SUPPLEMENTARY

##### *Guidance*

- 13 (1) The Department of Finance and Personnel may from time to time prepare and publish guidance to such descriptions of persons as the Department of Finance and Personnel considers appropriate about—
- (a) the effect of this Schedule or any provision of this Schedule; or
  - (b) other matters relating to forced marriages.
- (2) A person exercising public functions to whom guidance is given under this paragraph must have regard to it in the exercise of those functions.
- (3) Nothing in this paragraph permits the Department of Finance and Personnel to give guidance to any court or tribunal.

##### **Commencement Information**

- II** Sch. 1 para. 13 in force at 25.11.2008 by S.R. 2008/446, art. 2(a)

##### *Orders*

- 14 (1) An order made by the Department of Finance and Personnel under paragraph 3(7) —
- (a) may make different provision for different purposes;
  - (b) may contain such incidental, supplemental, consequential, transitional, transitory or saving provision as the Department of Finance and Personnel considers appropriate;
  - (c) is to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12)); and
  - (d) is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))).
- (2) An order made by the Lord Chancellor by virtue of paragraph 8(3) and (4) or under paragraph 12(1)—
- (a) may make different provision for different purposes;
  - (b) may contain such incidental, supplemental, consequential, transitional, transitory or saving provision as the Lord Chancellor considers appropriate;

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- (c) is to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12)); and
  - (d) is subject to [<sup>F1</sup>negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954)].
- (3) An order made by the Lord Chancellor under paragraph 9—
- (a) may make different provision for different purposes;
  - (b) may contain such incidental, supplemental, consequential, transitional, transitory or saving provision as the Lord Chancellor considers appropriate;
  - (c) is to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12)); and
  - (d) is not to be made unless a draft of the order has been laid before, and approved by a resolution of, [<sup>F2</sup>the Northern Ireland Assembly].
- [<sup>F3</sup>(4) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of sub-paragraph (3) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.]

#### Textual Amendments

- F1** Words in Sch. 1 para. 14(2)(d) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 18 para. 82(2)** (with arts. 28-31)
- F2** Words in Sch. 1 para. 14(3)(d) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 18 para. 82(3)** (with arts. 28-31)
- F3** Sch. 1 para. 14(4) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 18 para. 82(4)** (with arts. 28-31)

#### Modifications etc. (not altering text)

- C1** Sch. 1 para. 14(2)(3): transfer of functions (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 17 para. 22** (with arts. 28-31)

#### Commencement Information

- I2** Sch. 1 para. 14(2)(3) in force at 25.11.2008 by [S.R. 2008/446](#), **art. 2(a)**

#### *Other protection or assistance against forced marriage*

- 15 (1) This Schedule does not affect any other protection or assistance available to a person who—
- (a) is being, or may be, forced into a marriage or subjected to an attempt to be forced into a marriage; or
  - (b) has been forced into a marriage.
- (2) In particular, it does not affect—
- (a) the inherent jurisdiction of the High Court;
  - (b) any criminal liability;
  - (c) any right to an occupation order or a non-molestation order under the Family Homes and Domestic Violence (Northern Ireland) Order 1998 (S.I. 1998/1071 (N.I.6));

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- (d) any civil remedies under the Protection from Harassment (Northern Ireland) Order 1997 (S.I. 1997/1180 (N.I.9));
- (e) any protection or assistance under the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I.2));
- (f) any claim in tort; or
- (g) the law of marriage.

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**Commencement Information**

**I3** [Sch. 1 para. 15](#) in force at 25.11.2008 by [S.R. 2008/446](#), [art. 2\(a\)](#)

*Interpretation*

16 In this Schedule—

- “the court” is to be read with paragraph 8(1);
- “force” (and related expressions), in relation to a marriage, are to be read in accordance with paragraph 1(4) to (6);
- “forced marriage protection order” has the meaning given by paragraph 1(6);
- “marriage” means any religious or civil ceremony of marriage (whether or not legally binding); and
- “the relevant judge”, in relation to any order under this Schedule, means—
  - (a) where the order was made by the High Court, a judge of that court; and
  - (b) where the order was made by a county court, a judge or district judge of that or any other county court.

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**Commencement Information**

**I4** [Sch. 1 para. 16](#) in force at 25.11.2008 by [S.R. 2008/446](#), [art. 2\(a\)](#)

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