



Family Law Act 1996

1996 CHAPTER 27

[^{F1}PART 4A

FORCED MARRIAGE

Further provision about orders

[^{F1}63D Ex parte orders: Part 4A

- (1) The court may, in any case where it considers that it is just and convenient to do so, make a forced marriage protection order even though the respondent has not been given such notice of the proceedings as would otherwise be required by rules of court.
- (2) In deciding whether to exercise its powers under subsection (1), the court must have regard to all the circumstances including—
 - (a) any risk of significant harm to the person to be protected or another person if the order is not made immediately;
 - (b) whether it is likely that an applicant will be deterred or prevented from pursuing an application if an order is not made immediately; and
 - (c) whether there is reason to believe that—
 - (i) the respondent is aware of the proceedings but is deliberately evading service; and
 - (ii) the delay involved in effecting substituted service will cause serious prejudice to the person to be protected or (if a different person) an applicant.
- (3) The court must give the respondent an opportunity to make representations about any order made by virtue of subsection (1).
- (4) The opportunity must be—
 - (a) as soon as just and convenient; and
 - (b) at a hearing of which notice has been given to all the parties in accordance with rules of court.]

Status: Point in time view as at 25/11/2008.

Changes to legislation: Family Law Act 1996, Section 63D is up to date with all changes known to be in force on or before 23 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Pt. 4A inserted (25.11.2008 except in regard to the insertion of s. 63N) by [Forced Marriage \(Civil Protection\) Act 2007 \(c. 20\)](#), **ss. 1**, 4(2); S.I. 2008/2779, **art. 2(a)** (as amended (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11))

Status:

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