



# Family Law Act 1996

## 1996 CHAPTER 27

### [<sup>F1</sup>PART 4A

#### FORCED MARRIAGE

##### *Arrest for breach of orders*

#### [<sup>F1</sup>63H Attachment of powers of arrest to orders

- (1) Subsection (2) applies if the court—
  - (a) intends to make a forced marriage protection order otherwise than by virtue of section 63D; and
  - (b) considers that the respondent has used or threatened violence against the person being protected or otherwise in connection with the matters being dealt with by the order.
- (2) The court must attach a power of arrest to one or more provisions of the order unless it considers that, in all the circumstances of the case, there will be adequate protection without such a power.
- (3) Subsection (4) applies if the court—
  - (a) intends to make a forced marriage protection order by virtue of section 63D; and
  - (b) considers that the respondent has used or threatened violence against the person being protected or otherwise in connection with the matters being dealt with by the order.
- (4) The court may attach a power of arrest to one or more provisions of the order if it considers that there is a risk of significant harm to a person, attributable to conduct of the respondent, if the power of arrest is not attached to the provisions immediately.
- (5) The court may provide for a power of arrest attached to any provisions of an order under subsection (4) to have effect for a shorter period than the other provisions of the order.

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*Status: Point in time view as at 25/11/2008. This version of this provision has been superseded.*

*Changes to legislation: Family Law Act 1996, Section 63H is up to date with all changes known to be in force on or before 23 April 2024. 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)*

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- (6) Any period specified for the purposes of subsection (5) may be extended by the court (on one or more occasions) on an application to vary or discharge the order.
- (7) In this section “respondent” includes any person who is not a respondent but to whom an order is directed.]

#### **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))

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