



Family Law Act 1996

1996 CHAPTER 27

[^{F1}PART 4A

FORCED MARRIAGE

Arrest for breach of orders

[^{F1}63J Arrest under warrant

- (1) Subsection (2) applies if the court has made a forced marriage protection order but—
 - (a) no power of arrest is attached to any provision of the order under section 63H;
 - (b) such a power is attached only to certain provisions of the order; or
 - (c) such a power was attached for a shorter period than other provisions of the order and that period has expired.
- (2) An interested party may apply to the relevant judge for the issue of a warrant for the arrest of a person if the interested party considers that the person has failed to comply with the order or is otherwise in contempt of court in relation to the order.
- (3) The relevant judge must not issue a warrant on an application under subsection (2) unless—
 - (a) the application is substantiated on oath; and
 - (b) the relevant judge has reasonable grounds for believing that the person to be arrested has failed to comply with the order or is otherwise in contempt of court in relation to the order.
- (4) In this section “interested party”, in relation to a forced marriage protection order, means—
 - (a) the person being protected by the order;
 - (b) (if a different person) the person who applied for the order; or
 - (c) any other person;

but no application may be made under subsection (2) by a person falling within paragraph (c) without the leave of the relevant judge.]

Status: Point in time view as at 25/11/2008. This version of this provision has been superseded.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 63J is up to date with all changes known to be in force on or before 16 August 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))

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