

*These notes relate to the Forced Marriage etc. (Protection and Jurisdiction)  
(Scotland) Act 2011 (asp 15) which received Royal Assent on 27 April 2011*

# **FORCED MARRIAGE ETC. (PROTECTION AND JURISDICTION)(SCOTLAND) ACT 2011**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 1: Forced Marriage Protection Orders**

##### ***Section 4: Power to make orders without application, etc.***

14. Subsection (1) enables the court to make a forced marriage protection order on its own initiative if, in civil proceedings before the court, the court considers that an order should be made to protect a person, provided that a person who would be a party to any proceedings for the order is also a party to the civil proceedings currently before the court. In subsection (1), “court” means the Court of Session or the sheriff.
15. Subsection (2) provides that, in criminal proceedings before the sheriff or the High Court of Justiciary, if the court considers that a forced marriage protection order should be made to protect a person, the sheriff or the High Court may refer the matter to the Lord Advocate who may apply for an order or take such others steps as are appropriate.