



# Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011

## 2011 asp 15

### PART 1

#### FORCED MARRIAGE PROTECTION ORDERS

##### *Supplementary*

#### 12 **[<sup>F1</sup>Other protection or assistance against forced marriage or forced civil partnership]**

- (1) This Part does not affect any other protection or assistance available to a person who—
- (a) is being, or may be, forced into a marriage [<sup>F2</sup>or civil partnership],
  - (b) is being, or may be, subjected to an attempt to force the person into a marriage, or
  - (c) has been forced into a marriage [<sup>F2</sup>or civil partnership].
- (2) In particular, it does not affect—
- (a) the equitable jurisdiction of the High Court or the Court of Session,
  - (b) any criminal liability,
  - (c) any civil remedies under the Protection from Harassment Act 1997 (c.40),
  - (d) any right to—
    - (i) an order under the Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59) [<sup>F3</sup>or the Civil Partnership Act 2004] relating to occupancy rights,
    - (ii) an exclusion order under [<sup>F4</sup>either of those Acts],
  - (e) any protection or assistance under the Children (Scotland) Act 1995 (c.36) or the Children's Hearings (Scotland) Act 2011 (asp 1),
  - (f) any claim in delict, <sup>F5</sup>...
  - (g) the law of marriage [<sup>F6</sup>, or
  - (h) the law of civil partnership.]

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**Changes to legislation:** There are currently no known outstanding effects for the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011, Section 12. (See end of Document for details)

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### Textual Amendments

- F1** S. 12 heading substituted (30.11.2023) by The Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 (Application to Civil Partnerships and Consequential Provision) Order 2023 (S.S.I. 2023/194), arts. 1, **2(5)(c)**
- F2** Words in s. 12(1) inserted (30.11.2023) by The Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 (Application to Civil Partnerships and Consequential Provision) Order 2023 (S.S.I. 2023/194), arts. 1, **2(5)(a)**
- F3** Words in s. 12(2)(d)(i) inserted (30.11.2023) by The Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 (Application to Civil Partnerships and Consequential Provision) Order 2023 (S.S.I. 2023/194), arts. 1, **2(5)(b)(i)**
- F4** Words in s. 12(2)(d)(ii) substituted (30.11.2023) by The Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 (Application to Civil Partnerships and Consequential Provision) Order 2023 (S.S.I. 2023/194), arts. 1, **2(5)(b)(ii)**
- F5** Word in s. 12(2) omitted (30.11.2023) by virtue of The Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 (Application to Civil Partnerships and Consequential Provision) Order 2023 (S.S.I. 2023/194), arts. 1, **2(5)(b)(iii)**
- F6** S. 12(2)(h) and word inserted (30.11.2023) by The Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 (Application to Civil Partnerships and Consequential Provision) Order 2023 (S.S.I. 2023/194), arts. 1, **2(5)(b)(iv)**

### Commencement Information

- I1** S. 12 in force at 28.11.2011 by S.S.I. 2011/352, **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011, Section 12.