



Family Law Act 1996

1996 CHAPTER 27

[^{F1} PART 4A

FORCED MARRIAGE

Forced marriage protection orders

[^{F1}63C Applications and other occasions for making orders

- (1) The court may make a forced marriage protection order—
 - (a) on an application being made to it; or
 - (b) without an application being made to it but in the circumstances mentioned in subsection (6).
- (2) An application may be made by—
 - (a) the person who is to be protected by the order; or
 - (b) a relevant third party.
- (3) An application may be made by any other person with the leave of the court.
- (4) In deciding whether to grant leave, the court must have regard to all the circumstances including—
 - (a) the applicant's connection with the person to be protected;
 - (b) the applicant's knowledge of the circumstances of the person to be protected; and
 - (c) the wishes and feelings of the person to be protected so far as they are reasonably ascertainable and so far as the court considers it appropriate, in the light of the person's age and understanding, to have regard to them.
- (5) An application under this section may be made in other family proceedings or without any other family proceedings being instituted.
- (6) The circumstances in which the court may make an order without an application being made are where—

Changes to legislation: Family Law Act 1996, Section 63C is up to date with all changes known to be in force on or before 13 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) View outstanding changes

- (a) any other family proceedings are before the court (“the current proceedings”);
- (b) the court considers that a forced marriage protection order should be made to protect a person (whether or not a party to the current proceedings); and
- (c) a person who would be a respondent to any such proceedings for a forced marriage protection order is a party to the current proceedings.

(7) In this section—

“family proceedings” has the same meaning as in Part 4 (see section 63(1) and (2)) but also includes—

- (a) proceedings under the inherent jurisdiction of the High Court in relation to adults;
- (b) proceedings in which the court has made an emergency protection order under section 44 of the Children Act 1989 (c. 41) which includes an exclusion requirement (as defined in section 44A(3) of that Act); and
- (c) proceedings in which the court has made an order under section 50 of the Act of 1989 (recovery of abducted children etc.); and

“relevant third party” means a person specified, or falling within a description of persons specified, by order of the Lord Chancellor.

(8) An order of the Lord Chancellor under subsection (7) may, in particular, specify the Secretary of State.]

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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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 63(2)(k) inserted by [2021 c. 17 s. 52\(2\)](#)