

SCHEDULES

SCHEDULE 1

PROTECTION AGAINST FORCED MARRIAGE: NORTHERN IRELAND

PART 4

SUPPLEMENTARY

Guidance

- 13 (1) The Department of Finance and Personnel may from time to time prepare and publish guidance to such descriptions of persons as the Department of Finance and Personnel considers appropriate about—
- (a) the effect of this Schedule or any provision of this Schedule; or
 - (b) other matters relating to forced marriages.
- (2) A person exercising public functions to whom guidance is given under this paragraph must have regard to it in the exercise of those functions.
- (3) Nothing in this paragraph permits the Department of Finance and Personnel to give guidance to any court or tribunal.

Orders

- 14 (1) An order made by the Department of Finance and Personnel under paragraph 3(7) —
- (a) may make different provision for different purposes;
 - (b) may contain such incidental, supplemental, consequential, transitional, transitory or saving provision as the Department of Finance and Personnel considers appropriate;
 - (c) is to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12)); and
 - (d) is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))).
- (2) An order made by the Lord Chancellor by virtue of paragraph 8(3) and (4) or under paragraph 12(1)—
- (a) may make different provision for different purposes;
 - (b) may contain such incidental, supplemental, consequential, transitional, transitory or saving provision as the Lord Chancellor considers appropriate;
 - (c) is to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12)); and
 - (d) is subject to annulment in pursuance of a resolution of either House of Parliament in the same manner as a statutory instrument (and section 5 of the Statutory Instruments Act 1946 (c. 36) applies accordingly).

Status: This is the original version (as it was originally enacted).

- (3) An order made by the Lord Chancellor under paragraph 9—
- (a) may make different provision for different purposes;
 - (b) may contain such incidental, supplemental, consequential, transitional, transitory or saving provision as the Lord Chancellor considers appropriate;
 - (c) is to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12)); and
 - (d) is not to be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

Other protection or assistance against forced marriage

- 15 (1) This Schedule does not affect any other protection or assistance available to a person who—
- (a) is being, or may be, forced into a marriage or subjected to an attempt to be forced into a marriage; or
 - (b) has been forced into a marriage.
- (2) In particular, it does not affect—
- (a) the inherent jurisdiction of the High Court;
 - (b) any criminal liability;
 - (c) any right to an occupation order or a non-molestation order under the Family Homes and Domestic Violence (Northern Ireland) Order 1998 (S.I. 1998/1071 (N.I.6));
 - (d) any civil remedies under the Protection from Harassment (Northern Ireland) Order 1997 (S.I. 1997/1180 (N.I.9));
 - (e) any protection or assistance under the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I.2));
 - (f) any claim in tort; or
 - (g) the law of marriage.

Interpretation

- 16 In this Schedule—
- “the court” is to be read with paragraph 8(1);
 - “force” (and related expressions), in relation to a marriage, are to be read in accordance with paragraph 1(4) to (6);
 - “forced marriage protection order” has the meaning given by paragraph 1(6);
 - “marriage” means any religious or civil ceremony of marriage (whether or not legally binding); and
 - “the relevant judge”, in relation to any order under this Schedule, means—
 - (a) where the order was made by the High Court, a judge of that court; and
 - (b) where the order was made by a county court, a judge or district judge of that or any other county court.