

## CHAPTER 103

### FORCED MARRIAGE

#### Interpretation of this Chapter

**103.1.** In this Chapter, “the 2011 Act” means the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011(a).

#### Applications for a forced marriage protection order

**103.2.**—(1) An application for a forced marriage protection order under the 2011 Act shall be made by petition.

(2) Where leave of the court is required under section 3(2) of the 2011 Act to make an application for a forced marriage protection order, the person seeking such an order shall apply by motion for leave to make the application at the time when the petition is presented to the Petition Department.

(3) A motion under paragraph (2) shall be heard in chambers.

(4) Where such leave is granted, a copy of the interlocutor allowing leave shall be attached to the copy of the petition served on the respondent.

#### Applications for variation, recall or extension of a forced marriage protection order

**103.3.**—(1) An application for variation, recall or extension of a forced marriage protection order under the 2011 Act shall be made by note.

(2) Where leave of the court is required under section 7(1)(d) or 8(3)(d) of the 2011 Act before an application for variation, or recall or extension of a forced marriage protection order may be made, the applicant must lodge along with the note a motion stating the grounds upon which leave is sought.

(3) A motion under paragraph (2) shall not be served or intimated unless the court otherwise directs.

(4) The court may hear the applicant on the motion and may grant or refuse it or make such other order in relation to it as it considers appropriate prior to the determination.

(5) Where such a motion is granted, a copy of the interlocutor shall be intimated along with the note of application.