
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 385

**Act of Sederunt (Rules of the Court of Session
Amendment No. 6) (Miscellaneous) 2011**

Forced marriage

- 5.—(1) The Rules are amended in accordance with the following subparagraph.
(2) After Chapter 102 (reporting restrictions under the Contempt of Court Act 1981)(1), insert—

**“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(2).

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.

(1) Chapter 102 is inserted by paragraph 4 of this Act of Sederunt.
(2) 2011 asp 15.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(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.”.