

Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Bill

Marshalled List of Amendments for Stage 2

The Bill will be considered in the following order—

Sections 1 to 18

Long Title

Amendments marked * are new (including manuscript amendments) or have been altered.

Section 1

Marlyn Glen

- 10** In section 1, page 2, line 1, leave out <threats or other psychological> and insert <physical, verbal or psychological means, threatening conduct, harassment or other>

Section 2

Alex Neil

- 1** In section 2, page 2, line 25, leave out <abroad> and insert <from such place as the court may specify>

Marlyn Glen

- 1A** As an amendment to amendment 1, line 1, after <from> insert <, or to,>

Alex Neil

- 2** In section 2, page 2, line 26, leave out from third <to> to end of line 27 and insert <or go to such place (whether in Scotland or another part of the United Kingdom) as the court may specify within such period as may be so specified,>

Section 9

Alex Neil

- 3** In section 9, page 5, line 22, at end insert—
- <(1A) A constable may arrest without warrant any person the constable reasonably believes is committing or has committed an offence under subsection (1).
- (1B) Subsection (1A) is without prejudice to any power of arrest conferred by law apart from that subsection.>

Alex Neil

- 4 In section 9, page 5, line 23, leave out <such an offence> and insert <an offence under subsection (1)>

Section 11

Alex Neil

- 5 In section 11, page 6, line 3, leave out <may> and insert <must, no later than the day on which section 1 comes into force,>

Alex Neil

- 6 In section 11, page 6, leave out line 6 and insert—
<() The Scottish Ministers may give guidance to such persons or descriptions of persons as Ministers consider appropriate about matters (other than that mentioned in subsection (1)) relating to forced marriages.>

Alex Neil

- 7 In section 11, page 6, line 7, leave out <subsection (1)> and insert <this section>

Alex Neil

- 8 In section 11, page 6, line 9, leave out <subsection (1)> and insert <this section>

Section 12

Elaine Smith

- 11 In section 12, page 6, line 17, leave out <equitable jurisdiction> and insert <*nobile officium*>

After section 12

Alex Neil

- 9 After section 12, insert—
<Amendment of Children’s Hearings (Scotland) Act 2011
(1) The Children’s Hearings (Scotland) Act 2011 (asp 1) is amended as follows.
(2) In section 62(5) (provision of information by court)—
(a) the word “or” immediately following paragraph (l) is repealed,
(b) after paragraph (m) insert—
“(n) an application for the making, variation, recall or extension of—
(i) a forced marriage protection order (as defined in section 1(6) of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 (asp 00)), or

- (ii) an interim forced marriage protection order (as defined in section 5(2) of that Act),
 - (o) civil proceedings in which a court makes an order such as is mentioned in sub-paragraph (i) or (ii) of paragraph (n) by virtue of section 4(1) of that Act (power to make order without application), or
 - (p) proceedings relating to an offence under section 9(1) of that Act (offence of breaching order).”
- (3) In section 67(2) (meaning of “section 67 ground”)—
 - (a) in paragraph (p)(i) the words “marriage or” are repealed,
 - (b) after paragraph (p) insert—
 - “(q) the child—
 - (i) has been, is being or is likely to be forced into a marriage (that expression being construed in accordance with section 1 of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 (asp 00)) or,
 - (ii) is, or is likely to become, a member of the same household as such a child.”.>

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