



Family Law (Scotland) Act 2006

2006 asp 2

Amendment of Protection from Abuse (Scotland) Act 2001: powers of arrest

32 Amendment of Protection from Abuse (Scotland) Act 2001: powers of arrest

(1) Section 1 of the Protection from Abuse (Scotland) Act 2001 (asp 14) (attachment of power of arrest to interdict) shall be amended as follows.

(2) After subsection (1) there shall be inserted—

“(1A) In the case of an interdict which is—

(a) a matrimonial interdict (as defined by section 14(2) of the Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c. 59)) which is ancillary to—

(i) an exclusion order within the meaning of section 4(1) of that Act; or

(ii) an interim order under section 4(6) of that Act; or

(b) a relevant interdict (as defined by section 113(2) of the Civil Partnership Act 2004 (c. 33)) which is ancillary to—

(i) an exclusion order within the meaning of section 104(1) of that Act; or

(ii) an interim order under section 104(6) of that Act,

the court must, on an application under subsection (1), attach a power of arrest to the interdict.”.

(3) In subsection (2), at the beginning there shall be inserted “ In the case of any other interdict, ”.

Commencement Information

II S. 32 in force at 4.5.2006 by [S.S.I. 2006/212](#), [art. 2](#) (with [art. 4](#))

Changes to legislation:

There are currently no known outstanding effects for the Family Law (Scotland) Act 2006, Cross Heading: Amendment of Protection from Abuse (Scotland) Act 2001: powers of arrest.