

*These notes relate to the Family Law (Scotland) Act 2006
(asp 2) which received Royal Assent on 20 January 2006*

FAMILY LAW (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT

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

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

51. This section provides that where an application is made to the court for an interdict for the purposes of protection from abuse, the court must attach a power of arrest to the interdict if that interdict is ancillary to an exclusion order, including an interim exclusion order made under section 4 of the Matrimonial Homes (Family Protection) (Scotland) Act 1981 or section 104 of the Civil Partnership Act 2004. The effect of this is that Protection from Abuse (Scotland) Act 2001 will contain exclusively the power of the court to attach powers of arrest to interdicts granted under the Matrimonial Homes (Family Protection) (Scotland) Act 1981, including domestic interdicts, and the Civil Partnership Act 2004.