

*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

Domicile of persons under 16

Section 22: Domicile of persons under 16

36. **Section 22** takes steps to further eradicate the remnants of the condition of illegitimacy in Scots law. Currently, the domicile of a child is dependent on the child's father, if the parents are married and the mother if the parents are unmarried. Section 22 does away with this distinction. It provides that a child's domicile before they have reached the age of 16 will be that of the country with which the child is for the time being most closely connected. There will therefore no longer be a link between a child's domicile and that of his or her parents' marital status in relation to both the domicile of origin and dependant domicile.