



Family Law (Scotland) Act 2006

2006 asp 2

Aliment

20 Variations of agreements on aliment: powers of court

- (1) Section 7 of the Family Law (Scotland) Act 1985 (c. 37) (agreements on aliment) shall be amended as follows.
- (2) After subsection (2) there shall be inserted—
 - “(2ZA) On an application under subsection (2) above, the court may—
 - (a) pending determination of the application, make such interim order as it thinks fit;
 - (b) make an order backdating a variation of the amount payable under the agreement to—
 - (i) the date of the application or such later date as the court thinks fit; or
 - (ii) on special cause shown, a date prior to the date of the application.
 - (2ZB) Where the court makes an order under subsection (2ZA)(b) above, it may order any sums paid under the agreement to be repaid on such terms (including terms relating to repayment by instalments) as the court thinks fit.
 - (2ZC) Nothing in subsection (2ZA) shall empower the court to substitute a lump sum for a periodical payment.”.
- (3) In subsection (4), for “subsection (2) above” there shall be substituted “this section”.