

SCHEDULE 1
JURISDICTION IN PROCEEDINGS RELATING TO SAME SEX MARRIAGES

Presumption of Death (Scotland) Act 1977

2 In section 1 of the Presumption of Death (Scotland) Act 1977 (actions of declarator of the death of missing persons), after subsection (4) insert—

“(4A) Despite subsection (4), the sheriff court of the sheriffdom of Lothian and Borders at Edinburgh also has jurisdiction to entertain an action of declarator if—

- (a) the pursuer in the action and the missing person are married to each other and are of the same sex,
- (b) they married each other in Scotland, and
- (c) it appears to the court to be in the interests of justice to assume jurisdiction in the case.”.

Commencement Information

II Sch. 1 para. 2 in force at 16.12.2014 by S.S.I. 2014/287, art. 3, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Cross Heading: Presumption of Death (Scotland) Act 1977.