



Divorce (Scotland) Act 1976

1976 CHAPTER 39

Supplemental

10 Right of husband to cite paramour as a co-defender and to sue for damages abolished.

- (1) After the commencement of this Act the following rights of a husband shall be abolished, that is to say—
 - (a) the right to cite a paramour of his wife as a co-defender in an action for divorce, and
 - (b) the right to claim or to obtain damages (including solatium) from a paramour by way of reparation.
- (2) Nothing in the provisions of the foregoing subsection shall preclude the court from awarding the expenses of the action for or against the paramour or alleged paramour in accordance with the practice of the court.
- (3) Section 7 of the ^{M1}Conjugal Rights (Scotland) Amendment Act 1861 (citation of a co-defender in an action for divorce and decree for expenses against him) shall cease to have effect.

Modifications etc. (not altering text)

- C1** The text of ss. 10(3), 12(1)(2), Schs. 1, 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** [1861 c.86](#)

Changes to legislation:

There are currently no known outstanding effects for the Divorce (Scotland) Act 1976, Section 10.