



# Divorce (Scotland) Act 1976

## 1976 CHAPTER 39

### *Supplemental*

#### **12 Amendments, repeals and transitional provisions.**

- (1) The enactments described in Schedule 1 to this Act shall have effect subject to the amendments specified therein in relation to them respectively.
- (2) The enactments specified in columns 1 and 2 of Schedule 2 to this Act are hereby repealed to the extent specified in relation to them respectively in column 3 of that schedule.
- (3) Subject to the following provisions of this section and without prejudice to the operation of section 38 of the <sup>M1</sup>Interpretation Act 1889 (effect of repeals), nothing in this section shall affect any proceedings brought, anything done, or the operation of any order made, under any enactment repealed by this section; nor shall anything in this Act be taken to revive any rule of law superseded by any enactment repealed by this section.
- (4) Anything which, prior to the commencement of this Act, could have been done under section 2 of the <sup>M2</sup>Divorce (Scotland) Act 1938 or section 26 or 27 of the <sup>M3</sup>Succession (Scotland) Act 1964 may, after the commencement of this Act, be done under the corresponding provision of section 5 or 6 of this Act.
- (5) An order under section 2 of the <sup>M4</sup>Divorce (Scotland) Act 1938 for the payment of an annual or periodical allowance to or for the behoof of a child of the marriage may, after the commencement of this Act, be varied or recalled by a subsequent order under subsection (2) of that section as if that section had not been repealed by this Act.
- (6) Subsection (5) of section 5 of this Act shall apply in relation to an order for the payment of an annual or periodical allowance under section 2 of the <sup>M5</sup>Divorce (Scotland) Act 1938 or of a periodical allowance under section 26 of the <sup>M6</sup>Succession (Scotland) Act 1964 as it applies in relation to an order for the payment of a periodical allowance under the said section 5.

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**Changes to legislation:** There are currently no known outstanding effects for the Divorce (Scotland) Act 1976, Section 12. (See end of Document for details)

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**Extent Information**

**E1** For the extent of this section see s. 14(3)

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**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.

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**Marginal Citations**

**M1** 1889 c. 63.

**M2** 1938 c. 50.

**M3** 1964 c. 41.

**M4** 1938 c. 50.

**M5** 1938 c. 50.

**M6** 1964 c. 41.

**Changes to legislation:**

There are currently no known outstanding effects for the Divorce (Scotland) Act 1976, Section 12.