



Presumption of Death (Scotland) Act 1977

1977 CHAPTER 27

13 Defence to charge of bigamy.

It shall be a defence against a charge of [^{F1}committing an offence under section 24(A1) of the Marriage (Scotland) Act 1977 or section 100(1) of the Civil Partnership Act 2004] for the accused to prove that at no time within the period of seven years immediately preceding the date of the purported marriage [^{F2}or civil partnership] forming the substance of the charge had he any reason to believe that his spouse[^{F3}or civil partner] was alive.

Textual Amendments

- F1** Words in s. 13 substituted (1.9.2014) by [Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#), [ss. 28\(4\)\(a\)](#), 36; S.S.I. 2014/212, art. 2, Sch. (as amended (1.9.2014) by S.S.I. 2014/218, art. 2(3), Sch.)
- F2** Words in s. 13 inserted (1.9.2014) by [Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#), [ss. 28\(4\)\(b\)](#), 36; S.S.I. 2014/212, art. 2, Sch. (as amended (1.9.2014) by S.S.I. 2014/218, art. 2(3), Sch.)
- F3** Words in s. 13 inserted (1.9.2014) by [Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#), [ss. 28\(4\)\(c\)](#), 36; S.S.I. 2014/212, art. 2, Sch. (as amended (1.9.2014) by S.S.I. 2014/218, art. 2(3), Sch.)

Changes to legislation:

There are currently no known outstanding effects for the Presumption of Death (Scotland) Act 1977, Section 13.