



# Family Law (Scotland) Act 1985

## CHAPTER 37

### FAMILY LAW (SCOTLAND) ACT 1985

#### *Aliment*

- 1 Obligation of aliment.
- 2 Actions for aliment.
- 3 Powers of court in action for aliment.
- 4 Amount of aliment.
- 5 Variation or recall of decree of aliment.
- 6 Interim aliment.
- 7 Agreements on aliment.

#### *Financial provision on divorce, etc.*

- 8 Orders for financial provision.
- 8A Pension sharing orders: apportionment of charges.
- 8B Pension compensation sharing orders: apportionment of charges
- 9 Principles to be applied.
- 10 Sharing of value of matrimonial property.
- 11 Factors to be taken into account.
- 12 Orders for payment of capital sum or transfer of property.
- 12A Orders for payment of capital sum: pensions lump sums.
- 12B Order for payment of capital sum: pension compensation
- 13 Orders for periodical allowance.
- 14 Incidental orders.
- 15 Rights of third parties.
- 16 Agreements on financial provision.
- 17 Financial provision on declarator of nullity of marriage.

*Changes to legislation: There are currently no known outstanding effects for the Family Law (Scotland) Act 1985. (See end of Document for details)*

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### *Supplemental*

- 18 Orders relating to avoidance transactions.
- 19 Inhibition and arrestment.
- 20 Provision of details of resources.
- 21 Award of aliment or custody where divorce or separation refused.
- 22 Expenses of action.
- 23 Actions for aliment of small amounts.

### *Matrimonial property, etc.*

- 24 Marriage not to affect property rights or legal capacity.
- 25 Presumption of equal shares in household goods.
- 26 Presumption of equal shares in money and property derived from housekeeping allowance.

### *General*

- 27 Interpretation.
- 28 Amendments, repeals and savings.
- 29 Citation, commencement and extent.

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## SCHEDULES

### SCHEDULE 1 — Minor and Consequential Amendments

#### *The Sheriff Courts (Scotland) Act 1907 (c. 51)*

- 1 In section 5 of the Sheriff Courts (Scotland) Act 1907...

#### *The Guardianship of Infants Act 1925 (c. 45)*

- 2 In section 3(3) of the Guardianship of Infants Act 1925...

#### *The Maintenance Orders Act 1950 (c. 37)*

- 3 In section 16(2)(b)(i) of the Maintenance Orders Act 1950 (enforcement...

#### *The Succession (Scotland) Act 1964 (c. 41)*

- 4 In section 33(2) of the Succession (Scotland) Act 1964 (construction...

#### *The Law Reform (Miscellaneous Provisions) (Scotland) Act 1966 (c. 19)*

- 5 In section 8(1) of the Law Reform (Miscellaneous Provisions) (Scotland)...

#### *The Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)*

- 6 In section 31 of the Maintenance Orders (Reciprocal Enforcement) Act...
- 7 In section 39 of that Act, in the definition of...

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*The Matrimonial Proceedings (Polygamous Marriages) Act 1972 (c. 38)*

- 8 In section 2(2) of the Matrimonial Proceedings (Polygamous Marriages) Act...

*The Domicile and Matrimonial Proceedings Act 1973 (c. 45)*

- 9 In Schedule 2 to the Domicile and Matrimonial Proceedings Act...

*The Land Registration (Scotland) Act 1979 (c. 33)*

- 10 In section 12(3)(b) of the Land Registration (Scotland) Act 1979...

*The Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c. 59)*

- 11 For section 13(2) of the Matrimonial Homes (Family Protection) (Scotland)...

*The Matrimonial and Family Proceedings Act 1984 (c. 42)*

- 12 After section 29 of the Matrimonial and Family Proceedings Act...  
13 In section 30(1) of that Act (interpretation of Part IV),...

SCHEDULE 2 — Repeals

**Changes to legislation:**

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