



Family Law (Scotland) Act 2006

2006 asp 2

Amendment of Protection from Abuse (Scotland) Act 2001: powers of arrest

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- (1) Section 1 of the Protection from Abuse (Scotland) Act 2001 ([asp 14](#)) (attachment of power of arrest to interdict) shall be amended as follows.
- (2) After subsection (1) there shall be inserted—
 - “(1A) In the case of an interdict which is—
 - (a) a matrimonial interdict (as defined by section 14(2) of the Matrimonial Homes (Family Protection) (Scotland) Act 1981 ([c. 59](#))) which is ancillary to—
 - (i) an exclusion order within the meaning of section 4(1) of that Act; or
 - (ii) an interim order under section 4(6) of that Act; or
 - (b) a relevant interdict (as defined by section 113(2) of the Civil Partnership Act 2004 ([c. 33](#))) which is ancillary to—
 - (i) an exclusion order within the meaning of section 104(1) of that Act; or
 - (ii) an interim order under section 104(6) of that Act,the court must, on an application under subsection (1), attach a power of arrest to the interdict.”.
- (3) In subsection (2), at the beginning there shall be inserted “In the case of any other interdict,”.