



Family Law (Scotland) Act 2006

2006 asp 2

Cohabitation

25 Meaning of “cohabitant” in sections 26 to 29

- (1) In sections 26 to 29, “cohabitant” means either member of a couple consisting of—
 - (a) a man and a woman who are (or were) living together as if they were husband and wife; or
 - (b) two persons of the same sex who are (or were) living together as if they were civil partners.
- (2) In determining for the purposes of any of sections 26 to 29 whether a person (“A”) is a cohabitant of another person (“B”), the court shall have regard to—
 - (a) the length of the period during which A and B have been living together (or lived together);
 - (b) the nature of their relationship during that period; and
 - (c) the nature and extent of any financial arrangements subsisting, or which subsisted, during that period.
- (3) In subsection (2) and section 28, “court” means Court of Session or sheriff.