



Matrimonial Homes (Family Protection) (Scotland) Act 1981

1981 CHAPTER 59

[^{F1}Domestic interdicts

[^{F1}18B Domestic interdicts: further provision

- (1) Subsection (2) applies if the defender—
 - (a) is entitled to occupy a family home;
 - (b) is permitted by a third party to occupy it; or
 - (c) has, by virtue of section 18(1), occupancy rights in it.
- (2) Except where subsection (3) applies, the court may not grant a domestic interdict prohibiting the defender from entering or remaining in the family home.
- (3) This subsection applies if—
 - (a) the interdict is ancillary to an exclusion order; or
 - (b) an order under section 18(1) granting or extending occupancy rights is recalled.]

Textual Amendments

- F1** Ss. 18A, 18B and preceding cross-heading inserted (4.5.2006) by [Family Law \(Scotland\) Act 2006](#) (asp 2), [ss. 31\(3\), 46\(2\)](#); [S.S.I. 2006/212](#), [art. 2](#)

Changes to legislation:

Matrimonial Homes (Family Protection) (Scotland) Act 1981, Section 18B is up to date with all changes known to be in force on or before 07 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 3(9) inserted by [2023 asp 3 s. 56\(4\)](#)
- s. 8(2C) inserted by [2023 asp 3 s. 56\(7\)](#)