



Family Law (Scotland) Act 1985

1985 CHAPTER 37

Matrimonial property, etc.

25 Presumption of equal shares in household goods.

- (1) If any question arises (whether during or after a marriage [^{F1}or civil partnership]) as to the respective rights of ownership of the parties to a marriage [^{F2}or the partners in a civil partnership] in any household goods obtained in prospect of or during the marriage [^{F1}or civil partnership] other than by gift or succession from a third party, it shall be presumed, unless the contrary is proved, that each has a right to an equal share in the goods in question.
- (2) For the purposes of subsection (1) above, the contrary shall not be treated as proved by reason only that while
 - [^{F3}(a)] the parties were married
 - [^{F4}(b)] the partners were in civil partnership,and living together the goods in question were purchased from a third party by either party alone or by both in unequal shares.
- (3) In this section “household goods” means any goods (including decorative or ornamental goods) kept or used at any time during the marriage [^{F5}or civil partnership in any family] home for the joint domestic purposes of the parties to the marriage [^{F6}or the partners], other than—
 - (a) money or securities;
 - (b) any motor car, caravan or other road vehicle;
 - (c) any domestic animal.

Textual Amendments

- F1** Words in s. 25(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), [Sch. 28 para. 28\(2\)\(a\)](#); [S.S.I. 2005/604](#), arts. 2(c), 4
- F2** Words in s. 25(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), [Sch. 28 para. 28\(2\)\(b\)](#); [S.S.I. 2005/604](#), arts. 2(c), 4

Changes to legislation: There are currently no known outstanding effects for the
Family Law (Scotland) Act 1985, Section 25. (See end of Document for details)

- F3** s. 25(2)(a): words in s. 25(2) renumbered as s. 25(2)(a) (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 28(3)**; S.S.I. 2005/604, arts. 2(c), 4
- F4** S. 25(2)(b) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 28(3)**; S.S.I. 2005/604, arts. 2(c), 4
- F5** Words in s. 25(3) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 28(4)(a)**; S.S.I. 2005/604, arts. 2(c), 4
- F6** Words in s. 25(3) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 28(4)(b)**; S.S.I. 2005/604, arts. 2(c), 4

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There are currently no known outstanding effects for the Family Law (Scotland) Act 1985, Section 25.