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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## SCHEDULES

### SCHEDULE 1

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Conjugal Rights (Scotland) Amendment Act 1861 (c. 86)*

2 For section 9 there shall be substituted the following section—

**“9 Orders with respect to children.**

- (1) In any action for divorce, judicial separation or declarator of nullity of marriage the court may make, with respect to any child of the marriage to which the action relates, such order (including an interim order) as it thinks fit relating to parental rights, and may vary or recall such order.
- (2) In this section—
  - (a) "child" and "parental rights" have the same meaning as in section 8 of the Law Reform (Parent and Child) (Scotland) Act 1986 ;
  - (b) "child of the marriage" includes any child who—
    - (i) is the child of both parties to the marriage, or
    - (ii) is the child of one party to the marriage and has been accepted as a child of the family by the other party; and
  - (c) "court" in relation to divorce and separation includes the sheriff court.”