



Housing (Scotland) Act 2001

2001 asp 10

PART 7

MISCELLANEOUS AND GENERAL

Miscellaneous

108 Meaning of “family” and “spouse”: cohabitation

- (1) For the purposes of this Act, a person (“A”) is a member of another’s (“B’s”) family if—
- (a) A is the spouse of B, or A and B live together as husband and wife or in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex, or
 - (b) A is B’s parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.
- (2) For the purpose of subsection (1)(b)—
- (a) a relationship by marriage is to be treated as a relationship by blood,
 - (b) a relationship of the half-blood is to be treated as a relationship of the whole blood,
 - (c) the stepchild of a person is to be treated as that person’s child, and
 - (d) a person brought up or treated by another person as if the person were the child of the other person is to be treated as that person’s child.
- (3) In section 83 (members of a person’s family) of the 1987 Act—
- (a) in subsection (1)(a), after “wife” insert “or in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex”,
 - (b) in subsection (2), after paragraph (c) insert—
 - “(ca) a person brought up or treated by another person as if the person were the child of the other person shall be treated as that person’s child;”,
 - (c) after subsection (2) insert—

Status: This is the original version (as it was originally enacted).

“(3) Except in subsection (1)(a), references in this Act to a person’s spouse include references to another person living together with that person as husband and wife or in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex.”