



Protection from Abuse (Scotland) Act 2001

2001 asp 14

1 Attachment of power of arrest to interdict

- (1) A person who is applying for, or who has obtained, an interdict for the purpose of protection against abuse may apply to the court for a power of arrest to be attached to the interdict under this Act.
- (2) The court must, on such application, attach a power of arrest to the interdict if satisfied that—
 - (a) the interdicted person has been given an opportunity to be heard by, or represented before, the court;
 - (b) attaching the power of arrest would not result in the interdicted person being subject, in relation to the interdict, to a power of arrest under both this Act and the Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59); and
 - (c) attaching the power of arrest is necessary to protect the applicant from a risk of abuse in breach of the interdict.
- (3) The court, on attaching a power of arrest, must specify a date of expiry for the power, being a date not later than three years after the date when the power is attached.

Status:

Point in time view as at 06/02/2002. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Protection from Abuse (Scotland) Act 2001, Section 1.