

*These notes relate to the Family Law (Scotland) Act 2006
(asp 2) which received Royal Assent on 20 January 2006*

FAMILY LAW (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT

Abolition of status of illegitimacy

Section 21: Abolition of status of illegitimacy

35. This section removes, as far as it is possible and competent, the status of illegitimacy from Scots Law. It amends section 1 of the Law Reform (Parent and Child) (Scotland) Act 1986 which deals with legal equality of children. That section removed the practical effect in law of illegitimacy for most purposes but did not abolish the status itself. Section 21 abolishes that status. The abolition does not apply to the reserved area of hereditary titles and arms, or to the construction of deeds executed and enactments (including Acts of the Scottish Parliament) made before the coming into force of section 21. Schedule 3 makes provision for the consequential repeal of references to legitimacy or illegitimacy in various enactments.