



Courts Reform (Scotland) Act 2014

2014 asp 18

PART 12 **S**

GENERAL

135 Definition of “family proceedings” **S**

- (1) In this Act, “family proceedings” means proceedings for or in relation to—
- (a) divorce,
 - (b) separation,
 - (c) declarator of parentage,
 - (d) declarator of non-parentage,
 - (e) an order under section 11 of the Children (Scotland) Act 1995 (court orders relating to parental responsibilities, etc.) other than an application for the appointment of a judicial factor mentioned in subsection (2)(g) of that section to which Part 1 of the Act of Sederunt (Judicial Factors Rules) 1992 (S.I. 1992/272) applies,
 - (f) aliment (including affiliation and aliment),
 - (g) financial provision after a divorce or annulment in an overseas country within the meaning of Part 4 of the Matrimonial and Family Proceedings Act 1984 (financial provision in Scotland after overseas divorce, etc.),
 - (h) an order under the Matrimonial Homes (Family Protection) (Scotland) Act 1981,
 - (i) variation or recall of an order mentioned in section 8(1) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1966 (variation and recall by the sheriff of certain orders made by the Court of Session),
 - (j) declarator of marriage,
 - (k) declarator of nullity of marriage,
 - (l) declarator of recognition, or non-recognition, of a relevant foreign decree within the meaning of section 7(9) of the Domicile and Matrimonial Proceedings Act 1973,
 - (m) an order under section 28(2) (financial provision where cohabitation ends otherwise than by death) or section 29(2) (application by survivor cohabitant for provision on intestacy) of the Family Law (Scotland) Act 2006,

Changes to legislation: Courts Reform (Scotland) Act 2014, Section 135 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (n) dissolution of civil partnership,
 - (o) separation of civil partners,
 - (p) declarator of nullity of civil partnership,
 - (q) an order under Chapter 3 (occupancy rights and tenancies) or Chapter 4 (interdicts) of Part 3 of the Civil Partnership Act 2004,
 - (r) a declarator or other order under section 127 of that Act (attachment),
 - (s) financial provision after overseas proceedings as provided for in Schedule 11 to that Act (financial provision in Scotland after overseas proceedings).
- (2) The Scottish Ministers may by order modify subsection (1).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- sch. 1 para. 5A and cross-heading inserted by [2020 asp 9 s. 9](#)
- sch. 1 para. 2(g)(h) inserted by [2021 asp 16 s. 15\(8\)](#)