



# Family Law (Scotland) Act 2006

## 2006 asp 2

### *General*

#### **43 Interpretation**

In this Act—

“the 1976 Act” means the Divorce (Scotland) Act [1976 \(c. 39\)](#); and

“the 1981 Act” means the Matrimonial Homes (Family Protection) (Scotland) Act [1981 \(c. 59\)](#).

#### **44 Ancillary provision**

- (1) The Scottish Ministers may by order made by statutory instrument make such consequential, transitional or saving provision as they consider appropriate for the purposes of, in consequence of or for giving full effect to this Act or any provision of it.
- (2) An order under subsection (1) may modify any enactment (including this Act).
- (3) The power conferred by subsection (1) on the Scottish Ministers to make orders may be exercised so as to make different provision for different purposes.
- (4) A statutory instrument containing an order under subsection (1) shall, subject to subsection (5), be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (5) A statutory instrument containing an order under subsection (1) which includes provision modifying an Act or an Act of the Scottish Parliament shall not be made unless a draft of the instrument has been laid before, and approved by resolution of, the Scottish Parliament.

#### **45 Minor and consequential amendments and repeals**

- (1) Schedule 2 (which contains minor amendments and amendments consequential on the provisions of this Act) shall have effect.
- (2) The enactments mentioned in the first column in schedule 3 (which include enactments that are spent) are repealed to the extent set out in the second column.

**46 Short title and commencement**

- (1) This Act may be cited as the Family Law (Scotland) Act 2006.
- (2) The provisions of this Act (except this section) shall come into force on such day as the Scottish Ministers may by order made by statutory instrument appoint.
- (3) An order under subsection (2) may—
  - (a) appoint different days for different purposes; and
  - (b) include such transitional or saving provision as the Scottish Ministers consider necessary or expedient in connection with the coming into force of the provisions brought into force.