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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2020 No.**

**The Civil and Family Justice (EU Exit)  
(Scotland) (Amendment etc.) Regulations 2020**

**PART 2**

**Mediation**

**Amendment of the Prescription and Limitation (Scotland) Act 1973**

- 2.—**(1) The Prescription and Limitation (Scotland) Act 1973(1) is amended as follows.
- (2) In section 14 (computation of prescriptive periods)—
- (a) omit subsections (1A), (1B) and (1C) (extension of prescriptive periods: cross-border mediation),
  - (b) in subsection (2), omit the definitions of—
    - (i) “the Directive”,
    - (ii) “mediation” and “mediator”,
    - (iii) “relevant cross-border dispute”.
- (3) Omit section 19F (extension of limitation periods: cross-border mediation).

**Amendment of the Civic Government (Scotland) Act 1982**

- 3.—**(1) The Civic Government (Scotland) Act 1982(2) is amended as follows.
- (2) In section 71 (right arising on disposal of property)—
- (a) in subsection (2), omit “subject to subsection (3) below”,
  - (b) omit subsections (3) to (6).

**Amendment of the Rent (Scotland) Act 1984**

- 4.—**(1) The Rent (Scotland) Act 1984(3) is amended as follows.
- (2) In section 37(3) (recovery from landlord of sums paid in excess of recoverable rent, etc.), omit “Subject to section 37A(1) below”.
- (3) Omit section 37A (extension of time limits for recovery from landlord: cross-border mediation).

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(1) 1973 c.52. Subsections (1A), (1B) and (1C) of section 14, the definitions in section 14(2) listed in regulation 2(2)(b) and section 19F were added by [S.S.I. 2011/234](#).

(2) 1982 c.45. Section 71(2) was amended, and subsections (3) to (6) of section 71 were added by [S.S.I. 2011/234](#).

(3) 1984 c.58. Section 37(3) was amended, and section 37A was added by [S.S.I. 2011/234](#).

### **Amendment of the Family Law (Scotland) Act 2006**

5.—(1) The Family Law (Scotland) Act 2006(4) is amended as follows.

(2) In sections 28(8) (financial provision where cohabitation ends otherwise than by death) and 29(6) (application to court by survivor for provision on intestacy), omit “Subject to section 29A”.

(3) Omit section 29A (extension of time limits for applications under sections 28 and 29: cross-border mediation).

### **Revocation of the Cross-Border Mediation (Scotland) Regulations 2011**

6. The Cross-Border Mediation (Scotland) Regulations 2011(5) are revoked.

### **Saving: the Cross Border Mediation (Scotland) Regulations 2011: application of Article 69 of the withdrawal agreement – mediations begun before IP completion day**

7. Nothing in this Part affects the application of paragraph 1(b) of Article 69 of the withdrawal agreement and legislation amended or revoked by this Part continues to have effect for the purposes of that paragraph as if the amendments or revocations had not been made.

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(4) 2006 asp 2. Section 29A was added by S.S.I. 2011/234.

(5) S.S.I 2011/234.