



# Matrimonial Homes (Family Protection) (Scotland) Act 1981

## 1981 CHAPTER 59

An Act to make new provision for Scotland as to the rights of occupancy of spouses in a matrimonial home and of cohabiting couples in the house where they cohabit; to provide for the transfer of the tenancy of a matrimonial home between the spouses in certain circumstances during marriage and on granting decree of divorce or nullity of marriage, and for the transfer of the tenancy of a house occupied by a cohabiting couple between the partners in certain circumstances; to strengthen the law relating to matrimonial interdicts; and for connected purposes. [30th October 1981]

### Modifications etc. (not altering text)

- C1** Act excluded by 2002 c. 29, s. 269A(5) (as inserted (27.4.2017 for specified purposes, 31.1.2018 in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), [ss. 29\(5\)](#), [58\(1\)\(6\)](#); [S.I. 2018/78](#), [reg. 3\(1\)](#))

### Commencement Information

- I1** Act partly in force at Royal Assent see s. 23(2): Act wholly in force at 1.9.1982.

**Changes to legislation:**

Matrimonial Homes (Family Protection) (Scotland) Act 1981, Introductory Text is up to date with all changes known to be in force on or before 22 July 2023. 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.

[View outstanding changes](#)

**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):

- s. 2(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 3(9) inserted by [2023 asp 3 s. 56\(4\)](#)
- s. 8(2C) inserted by [2023 asp 3 s. 56\(7\)](#)