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**Changes to legislation:** Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, Paragraph 31 is up to date with all changes known to be in force on or before 16 August 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. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 8

#### AMENDMENT OF ENACTMENTS

#### PART II

#### MISCELLANEOUS

*The Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c. 59)*

- 31 (1) In section 6(3)(e) of the Matrimonial Homes (Family Protection) (Scotland) Act 1981 (occupancy rights after dealing with third parties)—
- (a) the words “, at or before the time of the dealing,” shall cease to have effect; and
  - (b) in sub-paragraph (i)—
    - (i) after the word “not” there shall be inserted “ or were not at the time of the dealing ”; and
    - (ii) after the word “has” there shall be inserted “ or had ”.
- (2) In section 8 of that Act (interests of heritable creditors)—
- (a) in subsection (2), the words “before the granting of the loan” shall cease to have effect; and
  - (b) in subsection (2A)—
    - (i) the words “at or before the granting of the security” shall cease to have effect;
    - (ii) after the word “not” in paragraph (a) there shall be inserted “ or were not at the time of the granting of the security ”; and
    - (iii) after the word “has” in paragraph (a) there shall be inserted “ or had ”.

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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):

- s. 21A(1)(c) words substituted by [2007 asp 5 Sch. 5 para. 3\(7\)\(a\)\(iii\)](#)
- s. 33(6) inserted by [2007 asp 5 Sch. 5 para. 3\(11\)](#)