



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 5

MISCELLANEOUS AMENDMENTS TO THE 1991 ACT

63 Variation of rent

In section 13 (variation of rent) of the 1991 Act—

- (a) in subsection (2), for the word “(7)” there is substituted “(7A)”;
- (b) in subsection (3), for the words from “there” to the end there is substituted “disregarding—
 - (a) any effect on rent of the fact that the tenant is in occupation of the holding; and
 - (b) any distortion in rent due to a scarcity of lets,

but having regard to the matters referred to in subsection (4) below.”;

- (c) for subsection (4) there is substituted—

“(4) For the purposes of determining the rent payable under subsection (3) above, the Land Court shall have regard to the following—

- (a) information about rents of other agricultural holdings (including when fixed) and any factors affecting those rents (or any of them) except any distortion due to a scarcity of lets; and
 - (b) the current economic conditions in the relevant sector of agriculture.”;
- (d) in subsection (7)—
 - (i) the words from “any” to the end become paragraph (a); and
 - (ii) after that paragraph there is inserted “; or
 - (b) any reduction in the rental value of the holding resulting from—
 - (i) the use of the land or part of the land, or changes to the land, for a purpose that is not an agricultural purpose; or
 - (ii) the carrying out of conservation activities on the land.”; and

Status: This is the original version (as it was originally enacted).

(e) after that subsection there is inserted—

“(7A) The Land Court shall take into account any increase in the rental value of the holding resulting from the use of the land for a purpose that is not an agricultural purpose.”.