Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 5

MISCELLANEOUS AMENDMENTS TO THE 1991 ACT

68   Restoration of agricultural holding following mineral exploitation

After section 29 (notice to quit part of holding to be valid in certain cases) of the 1991 Act there is inserted—

> **"29A Holding to be restored in certain circumstances**
>
> (1) Subsection (2) below applies where the tenancy of part of an agricultural holding has been terminated by reason of a notice to quit which is rendered valid by virtue of subsections (1)(b) and (2)(f) of section 29 of this Act.
>
> (2) Where—
>
>   (a)   this subsection applies; and
>
>   (b)   the land which formed that part has subsequently been made suitable for, and is available for, agricultural use,
>
> that land shall, if the conditions in subsection (3) below are fulfilled, be restored to the holding.
>
> (3) The conditions are that—
>
>   (a)   the tenancy of the holding continues in force with the same landlord and tenant under the lease; and
>
>   (b)   any compensation paid to the tenant in consequence of the termination was calculated on the basis that the holding would be restored under this section.".

Commencement Information

I1   S. 68 in force at 27.11.2003 by S.S.I. 2003/548, **art. 2(e)** (with Sch.)

Changes to legislation:
Agricultural Holdings (Scotland) Act 2003, Section 68 is up to date with all changes known to be in force on or before 04 April 2024. 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. 7C inserted by 2016 asp 18 s. 93(2)
> – s. 7D inserted by 2016 asp 18 s. 106(2)
> – s. 8F8G inserted by 2016 asp 18 s. 94(2)
> – s. 16B inserted by 2016 asp 18 s. 95(2)
> – s. 17A inserted by 2016 asp 18 s. 96(2)
> – s. 18B inserted by 2016 asp 18 s. 97(2)
> – s. 26(1)(1A) substituted for s. 26(1) by 2016 asp 18 s. 99(4)(a)
> – s. 26(3) inserted by 2016 asp 18 s. 99(4)(c)