



# Agricultural Holdings (Scotland) Act 2003

## 2003 asp 11

### PART 6

#### RIGHTS OF CERTAIN PERSONS WHERE TENANT IS A PARTNERSHIP

#### 71 Meaning of “family”

- (1) For the purposes of section 70(8)(d), who the members of a person’s family are is to be construed in accordance with subsections (2) and (3).
- (2) A person (“AG”) is a member of another person’s family if—
  - (a) AG is the person’s spouse or AG and the person live together as husband and wife or in a relationship which has the characteristics of the relationship between husband and wife except that AG and the person are of the same sex; or
  - (b) AG is the person’s parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew, niece or cousin.
- (3) For the purposes of subsection (2)(b)—
  - (a) a relationship by marriage is to be treated as a relationship by blood;
  - (b) a relationship of the half-blood is to be treated as a relationship of the whole blood;
  - (c) if AG is—
    - (i) the stepchild of the person, AG is to be treated as the person’s child;
    - (ii) the step-parent of the person, AG is to be treated as the person’s parent;
  - (d) if AG is brought up or treated by the person as if the person’s child, AG is to be treated as the person’s child.
- (4) The Scottish Ministers may by order modify (any or all) subsections (1) to (3).