

## SCHEDULE 1

Regulation 2

### CONSEQUENTIAL MODIFICATIONS AND SUPPLEMENTARY PROVISION

#### **The Opencast Coal Act 1958**

- 1.—(1) The Opencast Coal Act 1958<sup>(1)</sup> is modified as follows.
- (2) In section 24(10) (tenant’s right to compensation for improvements and other matters)<sup>(2)</sup>—
  - (a) in paragraph (a)(ii), for “or a limited duration tenancy” substitute “, a limited duration tenancy or a modern limited duration tenancy”; and
  - (b) in paragraph (b)(ii), for “or a limited duration tenancy” substitute “, a limited duration tenancy or a modern limited duration tenancy”.
- (3) In section 52(2) (general application to Scotland)<sup>(3)</sup>, in the definition of “agricultural holding”, for “or a limited duration tenancy” substitute “a limited duration tenancy, a modern limited duration tenancy or a repairing tenancy”.

#### **The Land Compensation (Scotland) Act 1973**

- 2.—(1) The Land Compensation (Scotland) Act 1973<sup>(4)</sup> is modified as follows.
- (2) In section 31(3)(c) (right to farm loss payment where person displaced from agricultural unit)<sup>(5)</sup>, in sub-paragraph (i) for “or a limited duration tenancy” substitute “, a limited duration tenancy, a modern limited duration tenancy or a repairing tenancy”.
- (3) In section 80(1) (general interpretation)<sup>(6)</sup>, in the definition of “agricultural holding”, for “or a limited duration tenancy” substitute “, a limited duration tenancy, a modern limited duration tenancy or a repairing tenancy”.

#### **The Land Tenure Reform (Scotland) Act 1974**

- 3.—(1) The Land Tenure Reform (Scotland) Act 1974<sup>(7)</sup> is modified as follows.
- (2) In section 8(5) (property let under future long lease, etc. not to be used as private dwelling-house)<sup>(8)</sup>, in paragraph (aa), for “or a limited duration tenancy” substitute “, a limited duration tenancy, a modern limited duration tenancy or a repairing tenancy”.

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

- 4.—(1) The Matrimonial Homes (Family Protection) (Scotland) Act 1981<sup>(9)</sup> is modified as follows.
- (2) In section 13(8) (transfer of tenancy)<sup>(10)</sup>, in the definition of “agricultural lease”, for “or a short limited duration tenancy” substitute “, a short limited duration tenancy, a modern limited duration tenancy or a repairing tenancy”.

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(1) 1958 c.69.

(2) Section 24(10) was amended by paragraph 15(3) of schedule 1 of the Agricultural Tenancies Act 1995 (c.8) and by S.S.I. 2003/583.

(3) The definition of “agricultural holding” in section 52(2) was substituted by S.S.I. 2003/583.

(4) 1973 c.56.

(5) Section 31(3)(c) was substituted by S.S.I. 2003/583.

(6) Section 80(1) was relevantly amended by S.S.I. 2003/583.

(7) 1974 c.38.

(8) Section 8(5) was amended by paragraph 4 of the schedule of the Agricultural Holdings (Scotland) Act 2003 (“the 2003 Act”).

(9) 1981 c.59.

(10) Section 13(8) was relevantly amended by paragraph 5(b) of the schedule of the 2003 Act.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

### **The Rent (Scotland) Act 1984**

- 5.—(1) The Rent (Scotland) Act 1984(**11**) is modified as follows.
- (2) In section 25(1) (interpretation)(**12**) in the definition of “statutorily protected tenancy”—
- (a) in paragraph (iv), omit “, or a limited duration tenancy (within the meaning of the Agricultural Holdings (Scotland) Act 2003 (asp 11))”; and
  - (b) after paragraph (iv) insert—
    - “(v) the Agricultural Holdings (Scotland) Act 2003 (that is a limited duration tenancy, a modern limited duration tenancy or a repairing tenancy).”.

### **The Agriculture Act 1986**

- 6.—(1) The Agriculture Act 1986(**13**) is modified as follows.
- (2) In paragraph 2(2) of schedule 2 (tenant’s right to compensation)(**14**), in the definition of “termination of the lease”—
- (a) for “section 2(1)” substitute “2A(1)”; and
  - (b) after “to” insert “modern”.

### **The Housing (Scotland) Act 1988**

- 7.—(1) The Housing (Scotland) Act 1988(**15**) is modified as follows.
- (2) In paragraph 6 of schedule 4 (tenancies of agricultural holdings)(**16**), in sub-paragraph (a), for “or a limited duration tenancy” substitute “, a limited duration tenancy, a modern limited duration tenancy or a repairing tenancy”.

### **The Agricultural Holdings (Scotland) Act 2003**

- 8.—(1) The 2003 Act is modified as follows.
- (2) In section 10A(1) (landlord improvement notices)(**17**), in paragraph (b), omit “within the meaning of section 5”.

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(11) 1984 c.58.

(12) Section 25(1) was relevantly amended by paragraph 6 of the schedule of the Agricultural Holdings (Scotland) Act 2003 (“the 2003 Act”).

(13) 1986 c.49.

(14) Paragraph 2(2) of schedule 2 was relevantly amended by S.S.I. 2003/583.

(15) 1988 c.43.

(16) Paragraph 6 of schedule 4 was relevantly amended by paragraph 11 of the schedule of the 2003 Act.

(17) Section 10A of the 2003 Act was inserted by section 119(4) of the Land Reform (Scotland) Act 2016.