



Agricultural Holdings (Scotland) Act 1991

1991 CHAPTER 55

[^{F1}PART 3A

RELINQUISHING AND ASSIGNATION OF HOLDINGS

CHAPTER 1

TENANT'S OFFER TO RELINQUISH HOLDING

[^{F1}Appeal against valuer's assessment

Textual Amendments

- F1** Pt. 3A inserted (23.12.2016 for specified purposes, 28.2.2021 in so far as not already in force) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), ss. **110(2)**, 130(1) (with s. 128); S.S.I. 2016/365, reg. 2; S.S.I. 2020/428, reg. 2

32N Appeal to Lands Tribunal against valuer's assessment

- (1) The tenant or the landlord may appeal to the Lands Tribunal against a notice of assessment.
- (2) An appeal under this section must—
 - (a) state the grounds on which it is being made, and
 - (b) be lodged before the expiry of the period of 21 days beginning with the date the notice of assessment was served.
- (3) The Lands Tribunal may—
 - (a) reassess any value or amount of compensation mentioned in section 32J(1) (and any factor affecting the value or amount),

Changes to legislation: *There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Cross Heading: Appeal against valuer's assessment. (See end of Document for details)*

- (b) determine the amount to be payable by the landlord to the tenant as compensation, calculated in accordance with section 32L, were the landlord to accept the tenant's notice of intention to relinquish.
- (4) The valuer whose assessment is appealed against may be a witness in the appeal proceedings.
- (5) In the appeal proceedings, in addition to the landlord and the tenant, the following persons are entitled to be heard—
 - (a) where the landlord is a creditor in a standard security, the owner of the land,
 - (b) where the landlord is the owner of the land, any creditor in a standard security over the land or any part of it.
- (6) The Lands Tribunal is to give written reasons for its decision on an appeal under this section.
- (7) The decision of the Lands Tribunal in an appeal under this section is final.

32O Referral of certain matters by Lands Tribunal to Land Court

Where, in an appeal before the Lands Tribunal under section 32N, an issue of law arises which may competently be determined by the Land Court by virtue of this Act or the 2003 Act, the Tribunal is to refer the issue to the Land Court for determination unless the Tribunal considers that it is not appropriate to do so.]

Changes to legislation:

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