



# Agricultural Holdings (Scotland) Act 1991

## 1991 CHAPTER 55

### [<sup>F1</sup>PART 3A

#### RELINQUISHING AND ASSIGNATION OF HOLDINGS

#### CHAPTER 1

#### TENANT'S OFFER TO RELINQUISH HOLDING

#### *[<sup>F1</sup>Notice of 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

#### **32M** Notice of assessment

- (1) The valuer must, before the expiry of the period mentioned in subsection (2), serve a notice in writing, specifying the matters mentioned in subsection (3), on—
  - (a) the tenant, and
  - (b) the landlord.
- (2) The period is the period of 8 weeks beginning with—
  - (a) the date on which the period, within which an application under section 32H(3) may be made, expires, or
  - (b) where such an application is made, the date of the Land Court's decision on it.
- (3) The matters are—

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**Status:** Point in time view as at 23/12/2016.

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

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- (a) the value, assessed under section 32J(1)(a), of the land to which the holding relates—
    - (i) if sold with vacant possession, and
    - (ii) if sold with the tenant still in occupation,
  - (b) the amount, assessed under section 32J(1)(b), of compensation—
    - (i) to which the tenant would be entitled in relation to any improvements to the holding,
    - (ii) to which the tenant would be entitled under section 44,
    - (iii) to which the landlord would be entitled under section 45 and 45A, and
  - (c) the amount, calculated in accordance with section 32L, to be payable by the landlord to the tenant as compensation were the landlord to accept the tenant's notice of intention to relinquish.
- (4) The notice must also—
- (a) be dated,
  - (b) state the date of valuation of each of the values and amounts mentioned in subsection (3), and
  - (c) set out how the valuer arrived at each of those values and amounts.
- (5) The notice may also contain or be accompanied by any other information that the valuer considers appropriate.
- (6) A notice served under subsection (1) is a “notice of assessment”.
- (7) The valuer must, at the same time as serving a notice of assessment, send a copy of the notice to the Tenant Farming Commissioner.]

**Status:**

Point in time view as at 23/12/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Cross Heading: Notice of assessment.