



# Agricultural Holdings (Scotland) Act 1991

## 1991 CHAPTER 55

### PART II

#### TERMS OF LEASES AND VARIATIONS THEREOF

##### *Termination of tenancy*

#### [<sup>F1</sup>16A Leases not terminated on grounds of non-residence

- (1) The lease of an agricultural holding shall not be brought to an end, and accordingly the landlord shall not be entitled to bring proceedings to terminate the lease or to treat it as at an end, by reason only that the tenant is not or has not been resident on the agricultural holding.
- (2) Where there is a term in a lease of an agricultural holding which purports to require the tenant to reside on the holding, there shall, in place of that term, be deemed to be incorporated in the lease an undertaking by the tenant that he will, if he does not reside on the holding, ensure that a person who has the skills and experience necessary to farm the holding in accordance with the rules of good husbandry resides on the holding.]

#### Textual Amendments

- F1** S. 16A inserted (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), ss. 65, 95(3), 95(4) (with s. 95(2)); [S.S.I. 2003/548](#), art. 2(e) (with Sch.)

**Status:**

Point in time view as at 27/11/2003.

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 16A.