



Agricultural Holdings (Scotland) Act 1991

1991 CHAPTER 55

PART III

NOTICE TO QUIT AND NOTICE OF INTENTION TO QUIT

28 Effect on notice to quit of sale of holding.

- (1) This section shall apply where a contract for the sale of the landlord's interest in land which comprises or forms part of an agricultural holding is made after the giving of a notice to quit and before its expiry.
- (2) Unless, within the period of 3 months ending with the date on which a contract to which this section applies is made, the landlord and the tenant have agreed in writing whether or not the notice to quit shall continue to have effect—
 - (a) the landlord shall,—
 - (i) within 14 days after the making of the contract; or
 - (ii) before the expiry of the notice to quit,whichever is the earlier, give notice to the tenant of the making of the contract; and
 - (b) the tenant may, before the expiry of the notice to quit and not later than one month after he has received notice under paragraph (a) above, give notice in writing to the landlord that he elects that the notice to quit shall continue to have effect.
- (3) Where this section applies, unless—
 - (a) the landlord and tenant have agreed that the notice to quit shall continue to have effect;
 - (b) the tenant has so elected, under subsection (2)(b) above; or
 - (c) the landlord having failed to give notice of the making of the contract in accordance with subsection (2)(a) above, the tenant quits the holding in consequence of the notice to quit,the notice to quit shall cease to have effect.

Changes to legislation: *There are currently no known outstanding effects for the*
Agricultural Holdings (Scotland) Act 1991, Section 28. (See end of Document for details)

- (4) Where this section applies and there is an agreement between the landlord and the tenant that the notice to quit shall continue to have effect, the notice shall not be invalid by reason only that the agreement is conditional.

Changes to legislation:

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 28.