

# **AGRICULTURAL HOLDINGS (SCOTLAND) ACT 2003**

---

## **EXPLANATORY NOTES**

### **INTRODUCTION**

#### **Part 4: Compensation under Agricultural Tenancies**

##### ***Section 53: Compensation for other particular things***

172. Subsection (1) applies, with modifications, section 44 (compensation for continuous adoption of special standard of farming) of the 1991 Act to SLDTs and LDTs as it does to 1991 Act tenancies. Section 44 of the 1991 Act, as modified, entitles tenants of SLDTs and LDTs, where the value of the land to an incoming tenant has been increased during the tenancy by the adoption of a more beneficial standard or system of farming than that required by the lease or normally practised on comparable land, to compensation representing the value of adoption of that standard or system to an incoming tenant. The entitlement to such compensation arises when the tenant quits the land.
173. Subsection (2) applies, with modifications, section 45A (compensation arising as a result of diversification etc.) (inserted into the 1991 Act by section 51 of the 2003 Act) as read with section 47(1) of the 1991 Act to LDTs as it applies to 1991 Act tenancies. Section 45A is inserted into the 1991 Act by section 51 of the 2003 Act.
174. Subsection (3) applies, with modifications, section 52 (compensation for damage by game) of the 1991 Act to SLDTs and LDTs as it does to 1991 Act tenancies. Section 52 of the 1991 Act is amended by section 50(2) of the 2003 Act.