

These notes relate to the Agricultural Holdings (Scotland) Act 2003 (asp 11) which received Royal Assent on 17 April 2003

AGRICULTURAL HOLDINGS (SCOTLAND) ACT 2003

EXPLANATORY NOTES

INTRODUCTION

Part 7: Jurisdiction of the Land Court and the Resolution of Disputes

Section 87: Transmission of case where contingency

282. This section makes provision for the transfer of cases under the 1991 or 2003 Acts where the same subject matter is being litigated simultaneously in two jurisdictions (a contingency).
283. Subsection (1) applies to contingencies between the sheriff court and the Land Court and enables the Land Court to require that the sheriff court case be transmitted to the Land Court. Subsection (2) applies to contingencies between the Court of Session and the Land Court. It inserts a new subsection (3) in section 33 of the Court of Session Act 1988 which empowers the Court of Session to require that the Land Court case be transmitted to it in the event of such a contingency.