

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

Schedule

Amendments to Enactments

[Rent \(Scotland\) Act 1984 \(c.58\)](#)

Paragraph 6

299. Section 25 of the 1984 Act includes a definition of “statutorily protected tenancy”, which excludes 1991 Act tenancies from the application of Part II of that Act on protection for the tenant against harassment and eviction without due process of law. This exclusion is extended to LDTs. Agricultural holdings law allows the landlord to apply conventional irritancy to the lease and, in so doing, evict the tenant. Section 18 of the 2003 Act allows a landlord and tenant to provide within the lease grounds that would allow an LDT or SLDT lease to be irritated and the tenant evicted. The Scottish Law Commission has recently consulted on the law relating to the irritancy of leases (*SLC Discussion Paper No. 117: Irritancy in Leases of Land*).