



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 2

TENANT'S RIGHT TO BUY LAND

Procedure for buying and valuation

37 Appeal to Lands Tribunal against valuation

- (1) The seller or the tenant may appeal to the Lands Tribunal against the valuation carried out under section 34.
- (2) An appeal under this section must state the grounds on which it is being made and must be lodged within 21 days of the date of the notice under section 36(4).
- (3) In an appeal under this section, the Lands Tribunal may—
 - (a) reassess any value of the land (and any factor affecting the value) or of an estate (and how any reduction in the value of an estate is to be apportioned); and
 - (b) for the purposes of section 32(2)(b)(ii), determine the price.
- (4) The valuer whose valuation is appealed against may be a witness in the appeal proceedings.
- (5) In the appeal proceedings, in addition to the seller and the tenant, the following persons are entitled to be heard—
 - (a) where the seller is—
 - (i) a creditor in a standard security, the owner of the land; and
 - (ii) the owner of the land, any creditor in a standard security over the land or any part of it; and
 - (b) where the land forms part of an estate—
 - (i) any creditor in a standard security over; and
 - (ii) any tenant of,
any other land forming part of the estate.

Status: This is the original version (as it was originally enacted).

- (6) The Lands Tribunal is to give reasons for its decision on an appeal under this section and is to issue a written statement of these reasons.
- (7) The decision of the Lands Tribunal in an appeal under this section is final.
- (8) In this section and section 38, “the Lands Tribunal” means the Lands Tribunal for Scotland.