



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 4

COMPENSATION UNDER AGRICULTURAL TENANCIES

CHAPTER 4

MISCELLANEOUS PROVISION AS TO COMPENSATION

56 No right to penal rent etc.

The landlord under a short limited duration tenancy [^{F1}, a limited duration tenancy or a modern limited duration tenancy] is not entitled to recover any sum, by way of higher rent, liquidated damages or otherwise, in consequence of any breach or non-fulfilment of a term or condition of the lease, which is in excess of the damage actually suffered by the landlord in consequence of the breach or non-fulfilment; and any provision of the lease to the contrary is of no effect.

Textual Amendments

- F1** Words in s. 56 substituted (30.11.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), s. 130(1), [sch. 2 para. 7\(23\)](#) (with s. 128); [S.S.I. 2017/299](#), reg. 2, sch.

Commencement Information

- I1** S. 56 in force at 27.11.2003 by [S.S.I. 2003/548](#), [art. 2\(d\)](#) (with Sch.)

Changes to legislation:

Agricultural Holdings (Scotland) Act 2003, Section 56 is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7C inserted by [2016 asp 18 s. 93\(2\)](#)
- s. 7D inserted by [2016 asp 18 s. 106\(2\)](#)
- s. 8F8G inserted by [2016 asp 18 s. 94\(2\)](#)
- s. 16B inserted by [2016 asp 18 s. 95\(2\)](#)
- s. 17A inserted by [2016 asp 18 s. 96\(2\)](#)
- s. 18B inserted by [2016 asp 18 s. 97\(2\)](#)
- s. 26(1)(1A) substituted for s. 26(1) by [2016 asp 18 s. 99\(4\)\(a\)](#)
- s. 26(3) inserted by [2016 asp 18 s. 99\(4\)\(c\)](#)