



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 7

JURISDICTION OF THE LAND COURT AND THE RESOLUTION OF DISPUTES

Jurisdiction of the Land Court: further provision

84 Power of Land Court to grant remedies etc.

- (1) Where the Land Court has by virtue of the 1991 Act or this Act determined any matter, it may, in relation to the rights of any party, make such order or grant such remedy as it considers appropriate and, in particular, it may make or grant (any or all)—
 - (a) a decree of interdict (including an interim decree);
 - (b) an order *ad factum praestandum* or an order of specific implement (including in either case an interim order);
 - (c) an order of specific restitution;
 - (d) an order of reduction or rectification;
 - (e) an order of removal or ejection (but not an interim order);
 - (f) an order for damages or other substitutionary redress;
 - (g) a declarator.
- (2) Where the Land Court makes an order under subsection (1)(b) in relation to a failure of the landlord to fulfil any obligation the landlord has towards the tenant in respect of fixed equipment, the Court—
 - (a) must specify the date by which the landlord is to comply with the order; and
 - (b) may, following an application by the landlord, specify a later date (in place of the date specified under paragraph (a)) by which the landlord is to comply with the order if it is satisfied that the landlord intends to comply with the order but reasonably requires more time to do so.
- (3) Where a matter before the Land Court by virtue of the 1991 Act or this Act concerns the removal or ejection of the tenant from the land to which the tenancy relates, the Court may order the finding of caution, or the giving of such undertaking as the Court considers appropriate, in relation to any liability of the landlord or tenant to the other

Changes to legislation: *Agricultural Holdings (Scotland) Act 2003, Section 84 is up to date with all changes known to be in force on or before 26 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. (See end of Document for details) View outstanding changes*

which may arise from the landlord or, as the case may be, tenant remaining on the land pending the Court's determination of the matter.

Commencement Information

I1 S. 84 in force at 27.11.2003 by [S.S.I. 2003/548](#), **art. 2(g)** (with [Sch.](#))

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Changes and effects yet to be applied to :

- s. 84(2) words repealed by [2016 asp 18 Sch. 2 para. 10\(3\)](#)

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\(4\)\(c\)](#)