



Agricultural Holdings (Amendment) (Scotland) Act 2012

2012 asp 6

Review of rent etc.

2 Prohibition of upward only rent reviews etc.

In section 9 of the Agricultural Holdings (Scotland) Act 2003 (asp 11), before subsection (1) insert—

“(A1) Where, by virtue of any provision, a review of rent due as payable under a lease constituting a limited duration tenancy—

- (a) may be initiated only by the landlord; or
- (b) may only determine that the rent is to be increased,

the provision concerned is void and the rent due as payable under the lease is instead to be reviewed and determined in accordance with this section.”.

3 Effect of VAT changes on determination of rent

In section 13(9) of the Agricultural Holdings (Scotland) Act 1991, after paragraph (c) insert—

- “(d) a variation of rent arising from—
- (i) the exercise or revocation of an option to tax under Schedule 10 to the Value Added Tax Act 1994 (c.23); or
 - (ii) a change in the rate of value added tax applicable to grants of interests in or rights over land in respect of which such an option has effect.”.