



# Land Reform (Scotland) Act 2016

## 2016 asp 18

### PART 10

#### AGRICULTURAL HOLDINGS

### CHAPTER 7

#### RELINQUISHING AND ASSIGNATION OF 1991 ACT TENANCIES

#### **111 Tenant's offer to relinquish 1991 Act tenancy: consequential modifications**

- (1) In section 21(1) of the 1991 Act, after “section 20” insert “ and Part 3A ”.
- (2) The 2003 Act is amended as follows.
- (3) In section 55 (right to compensation for yielding vacant possession), in subsection (4), after “Where” insert “ the tenancy is a limited duration tenancy or a modern limited duration tenancy and ”.
- (4) After section 74 insert—

#### **“74A Application of Part 3A of the 1991 Act**

- (1) The Scottish Ministers may by regulations provide that Part 3A of the 1991 Act does not apply in relation to such types of partnership who are tenants, and in such circumstances, as the regulations may specify.
- (2) The Scottish Ministers may by regulations—
  - (a) provide that general partners, of such types of limited partnership as the regulations may specify, may, in such circumstances as may be so specified, exercise and enforce any rights of tenants conferred by Part 3A of that Act,
  - (b) provide that Part 3A, in its application in relation to—
    - (i) partnerships who are tenants, and
    - (ii) such partners of partnerships as may exercise or enforce any rights of tenants conferred by that Part,

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**Changes to legislation:** *Land Reform (Scotland) Act 2016, Section 111 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. (See end of Document for details) View outstanding changes*

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- has effect with or subject to such modifications as the regulations may specify,
- (c) make such further provision in relation to such partnerships and partners as they consider appropriate for the purposes of that Part.
- (3) Regulations under subsection (2) may make different provision for different types of partnership.”.

**Commencement Information**

- I1** S. 111(1)(3) in force at 28.2.2021 by S.S.I. 2020/428, **reg. 2**
- I2** S. 111(2)(4) in force at 23.12.2016 for specified purposes by S.S.I. 2016/365, **reg. 2, sch.** (with **regs. 3-15**)
- I3** S. 111(2)(4) in force at 28.2.2021 in so far as not already in force by S.S.I. 2020/428, **reg. 2**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I. 2017/299, regs. 5-14, by [S.S.I. 2017/370 reg. 34](#)