



Land Reform (Scotland) Act 2016

2016 asp 18

PART 2

THE SCOTTISH LAND COMMISSION

CHAPTER 3

THE TENANT FARMING COMMISSIONER

Tenant Farming Commissioner: inquiry function

33 Report on inquiry

- (1) As soon as practicable after an inquiry into an alleged breach is complete the Tenant Farming Commissioner must publish a report setting out—
 - (a) where there is sufficient information for the Commissioner to reach a decision on breach of the code of practice —
 - (i) the Commissioner's decision as to whether or not the code has been breached,
 - (ii) the reasons for the Commissioner's decision,
 - (iii) the relevant facts on which the Commissioner's decision is based,
 - (iv) such recommendations as the Commissioner considers appropriate,
 - (b) where there is not sufficient information for the Commissioner to reach a decision on breach of the code of practice, that finding.
- (2) A report published under this section is admissible as evidence in any proceedings before the Land Court.
- (3) If a report published under this section appears to the Land Court conducting any proceedings to be relevant to any question arising in the proceedings the Land Court must take that report into account in determining that question.
- (4) Subsections (2) and (3) apply to arbitration proceedings under section 61 of the 1991 Act or section 78 of the 2003 Act as they apply to Land Court proceedings.

Changes to legislation: *Land Reform (Scotland) Act 2016, Section 33 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*

Commencement Information

II **S. 33** in force at 1.4.2017 by S.S.I. 2016/250, reg. 2(3), **sch. 2**

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[View outstanding changes](#)

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](#)