

SCHEDULE 1
TENANCIES WHICH CANNOT BE PRIVATE RESIDENTIAL TENANCIES

Agricultural land

- 4 (1) A tenancy cannot be a private residential tenancy if sub-paragraph (2) or (3) applies to it.
- (2) This sub-paragraph applies to a tenancy if the let property includes two acres or more of agricultural land.
- (3) This sub-paragraph applies to a tenancy if—
- (a) the tenancy is a relevant agricultural tenancy, and
 - (b) the let property is occupied by the person responsible for the control (whether as tenant or as the tenant’s agent or employee) of the farming of the let property.
- (4) For the purposes of this paragraph—
- (a) “agricultural land” has the meaning given in section 115(1) of the Rent (Scotland) Act 1984,
 - (b) “relevant agricultural tenancy” means a tenancy which falls within the definition given in the Agricultural Holdings (Scotland) Act 2003 of—
 - (i) a 1991 Act tenancy,
 - (ii) a short limited duration tenancy,
 - (iii) a limited duration tenancy,
 - (iv) a modern limited duration tenancy, or
 - (v) a repairing tenancy.