



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 2

TENANT'S RIGHT TO BUY LAND

Procedure for buying and valuation

37 Appeal to Lands Tribunal against valuation

- (1) The seller or the tenant may appeal to the Lands Tribunal against the valuation carried out under section 34.
- (2) An appeal under this section must state the grounds on which it is being made and must be lodged within 21 days of the date of the notice under section 36(4).
- (3) In an appeal under this section, the Lands Tribunal may—
 - (a) reassess any value of the land (and any factor affecting the value) or of an estate (and how any reduction in the value of an estate is to be apportioned); and
 - (b) for the purposes of section 32(2)(b)(ii), determine the price.
- (4) The valuer whose valuation is appealed against may be a witness in the appeal proceedings.
- (5) In the appeal proceedings, in addition to the seller and the tenant, the following persons are entitled to be heard—
 - (a) where the seller is—
 - (i) a creditor in a standard security, the owner of the land; and
 - (ii) the owner of the land, any creditor in a standard security over the land or any part of it; and
 - (b) where the land forms part of an estate—
 - (i) any creditor in a standard security over; and
 - (ii) any tenant of,
any other land forming part of the estate.

Changes to legislation: *Agricultural Holdings (Scotland) Act 2003, Section 37 is up to date with all changes known to be in force on or before 23 January 2024. 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*

- (6) The Lands Tribunal is to give reasons for its decision on an appeal under this section and is to issue a written statement of these reasons.
- (7) The decision of the Lands Tribunal in an appeal under this section is final.
- (8) In this section and section 38, “the Lands Tribunal” means the Lands Tribunal for Scotland.

Commencement Information

II S. 37 in force at 15.12.2004 by [S.S.I. 2004/511](#), [art. 2](#)

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