



# Land Reform (Scotland) Act 2016

## 2016 asp 18

### PART 2

#### THE SCOTTISH LAND COMMISSION

### CHAPTER 3

#### THE TENANT FARMING COMMISSIONER

##### *Functions of the Tenant Farming Commissioner*

#### **24 Functions of the Tenant Farming Commissioner**

- (1) The functions of the Tenant Farming Commissioner are—
  - (a) to prepare codes of practice on agricultural holdings in accordance with section 27,
  - (b) to promote the codes of practice in accordance with section 28,
  - (c) to inquire into alleged breaches of the codes of practice in accordance with sections 29 to 34,
  - (d) to prepare a report on the operation of agents of landlords and tenants in accordance with section 36,
  - (e) to prepare recommendations for a modern list of improvements to agricultural holdings in accordance with section 37,
  - (f) to refer for the opinion of the Land Court any question of law relating to agricultural holdings in accordance with section 38,
  - (g) to collaborate with the Land Commissioners in the exercise of their functions to the extent that those functions relate to agriculture and agricultural holdings,
  - (h) to exercise any other functions conferred on the Commissioner by any enactment.
- (2) The Tenant Farming Commissioner must exercise the Commissioner's functions with a view to encouraging good relations between landlords and tenants of agricultural holdings.
- (3) The Scottish Ministers must—

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*Status: This is the original version (as it was originally enacted).*

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- (a) review the Tenant Farming Commissioner’s functions before the end of the period of 3 years beginning with the day on which this section comes into force,
  - (b) publish the findings of the review as soon as practicable.
- (4) In carrying out a review under subsection (3), the Scottish Ministers must—
- (a) invite the Tenant Farming Commissioner to give views on the operation of the Commissioner’s functions and, in particular, on whether the Commissioner’s powers are sufficient in relation to the Commissioner’s duties,
  - (b) invite such other persons appearing to Ministers to have an interest in the Commissioner’s functions to give views on the operation of those functions, and
  - (c) have regard to any such views.
- (5) Following review under subsection (3), the Scottish Ministers may by regulations modify subsection (1) to—
- (a) amend the functions of the Tenant Farming Commissioner,
  - (b) remove functions from the Tenant Farming Commissioner,
  - (c) confer new functions on the Tenant Farming Commissioner.