



Agricultural Holdings (Scotland) Act 1991

1991 CHAPTER 55

PART VII

ARBITRATION AND OTHER PROCEEDINGS

[^{F1}61 Agreement to refer matters to arbitration

- (1) Subject to subsection (2) below, where this Act [^{F2}or section 116 of the Land Reform (Scotland) Act 2016] makes provision for any matter to be determined by the Land Court, the matter may, if the landlord and tenant so agree at or after the time when the matter arises, instead of being so determined, be determined by arbitration.
- (2) Subsection (1) above does not apply in relation to any matter which may be determined by the Land Court—
 - (a) in pursuance of section ^{F3}... 11, 12, 22, 26, 32, ^{F4}... 41(1), 55(7) or 66(2) or (2A) of this Act; or
 - (b) on appeal.
- (3) In this Act, other than in section 61A, “arbitration” includes any other method of resolving the matter; and “arbiter” shall be construed accordingly.]

Textual Amendments

- F1** Ss. 61-61B substituted for s. 61 (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), [ss. 76, 95\(3\), 95\(4\)](#) (with s. 95(2)); S.S.I. 2003/548, art. 2(g) (with sch.)
- F2** Words in s. 61(1) inserted (13.6.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), [ss. 118\(1\)\(a\)\(i\), 130\(1\)](#) (with s. 128); S.S.I. 2017/20, reg. 2, sch.
- F3** Word in s. 61(2) repealed (13.6.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), [s. 118\(1\)\(a\)\(ii\)\(A\)130\(1\)](#) (with s. 128); S.S.I. 2017/20, reg. 2, sch.
- F4** Word in s. 61(2) repealed (13.6.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), [s. 118\(1\)\(a\)\(ii\)\(B\)130\(1\)](#) (with s. 128); S.S.I. 2017/20, reg. 2, sch.

Changes to legislation:

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 61.