
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 232

The Public Services Reform (Agricultural Holdings) (Scotland) Order 2011

PART 3

AMENDMENT OF THE AGRICULTURAL HOLDINGS (SCOTLAND) ACT 2003

Conversion of a short limited duration to a limited duration tenancy by agreement

8. For section 5(2) (limited duration tenancies), substitute—

“(2) Where—

- (a) at any time before the expiry of the term of a short limited duration tenancy, the landlord and tenant agree in writing to convert the tenancy to a limited duration tenancy; or
- (b) the tenant remains in occupation of the land after the expiry of the term of a short limited duration tenancy of 5 years (including such a term fixed by virtue of section 4(2) or (3)) with the consent of the landlord,

the tenancy has effect as if it were for a term of 10 years commencing at the start of the term of the short limited duration tenancy, and the tenancy is, by virtue of this subsection, a limited duration tenancy.”.