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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 299**

**The Land Reform (Scotland) Act 2016 (Commencement No. 6, Transitory and Saving Provisions) Regulations 2017**

**Transitory provision: Agricultural Holdings (Scotland) Act 2003**

**12.** Until the coming into force of section 92 of the 2016 Act for all purposes, the following provisions of the 2003 Act are to be read as if references to “a repairing tenancy” or “repairing tenancies” (as the case may be) were omitted:—

- (a) section 10(1) (increase in rent: landlord’s improvements)(**1**);
- (b) section 11 (variation of rent by Land Court)(**2**);
- (c) section 12(1)(b) (right of tenant to withhold rent)(**3**);
- (d) section 13(1) (written leases and the revision of certain leases)(**4**);
- (e) section 14 (freedom of cropping and disposal of produce)(**5**);
- (f) section 15 (permanent pasture)(**6**);
- (g) section 19 (resumption and irritancy: supplementary)(**7**);
- (h) section 21(1) (bequest of lease)(**8**);
- (i) section 22(1) and (3) (right of landlord to object to acquirer of tenancy)(**9**);
- (j) section 23 (effect of termination of tenancy where tenant deceased)(**10**);
- (k) section 39(1)(d) (use of land for non-agricultural purposes)(**11**);
- (l) section 42(1)(d) (tenant’s right to timber)(**12**);

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- (1) Section 10(1) is amended by paragraph 7(3) of schedule 2 of the Land Reform (Scotland) Act 2016 (“the 2016 Act”). Paragraph 7(3) of schedule 2 of the 2016 Act is commenced by these Regulations. Other amendments were made to section 10(1) by section 120 of the 2016 Act.
  - (2) Section 11 is amended by paragraph 7(4) of schedule 2 of the 2016 Act. Paragraph 7(4) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (3) Section 12(1)(b) is amended by paragraph 7(5) of schedule 2 of the 2016 Act. Paragraph 7(5) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (4) Section 13(1) is amended by paragraph 7(6) of schedule 2 of the 2016 Act. Paragraph 7(6) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (5) Section 14 is amended by paragraph 7(7) of schedule 2 of the 2016 Act. Paragraph 7(7) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (6) Section 15 is amended by paragraph 7(8) of schedule 2 of the 2016 Act. Paragraph 7(8) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (7) Section 19 is amended by paragraph 7(10) of schedule 2 of the 2016 Act. Paragraph 7(10) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (8) Section 21(1) was amended by section 108(3)(a)(ii) of the 2016 Act. Section 21(1) is further amended by section 108(3)(a)(i) of the 2016 Act. Section 108(3)(a)(i) of the 2016 Act is commenced by these Regulations.
  - (9) Section 22(1) and (3) is amended by paragraph 7(11) of schedule 2 of the 2016 Act. Paragraph 7(11) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (10) Section 23 is amended by paragraph 7(12) of schedule 2 of the 2016 Act. Paragraph 7(12) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (11) Section 39(1) is amended by paragraph 7(13) of schedule 2 of the 2016 Act. Paragraph 7(13) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (12) Section 42(1) is amended by paragraph 7(14) of schedule 2 of the 2016 Act. Paragraph 7(14) of schedule 2 of the 2016 Act is commenced by these Regulations.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (m) section 70(1)(b) (rights of certain persons where tenant is a partnership)(**13**);
- (n) section 77(2)(a)(iib) and (4) (resolution of disputes by Land Court)(**14**); and
- (o) section 81(a) (clauses in leases as to resolution of disputes)(**15**).

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- (13) Section 70(1)(b) is amended by paragraph 7(26) of schedule 2 of the 2016 Act. Paragraph 7(26) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (14) Section 77(2)(a) is amended by paragraph 7(27) of schedule 2 of the 2016 Act. Paragraph 7(27) of schedule 2 of the 2016 Act is commenced by these Regulations.
  - (15) Section 81 is amended by paragraph 7(28) of schedule 2 of the 2016 Act. Paragraph 7(28) of schedule 2 of the 2016 Act is commenced by these Regulations.