



Law Reform (Miscellaneous Provisions) (Scotland) Act 1985

1985 CHAPTER 73

Provisions relating to leases

7 Interpretation of sections 4 to 6.

- (1) In sections 4 to 6 of this Act “lease” means a lease of land, whether entered into before or after the commencement of those sections, but does not include a lease of land—
- (a) used wholly or mainly for residential purposes; ^{F1}...
 - (b) comprising ^{F1}... a croft, the subject of a cottar or the holding of a landholder or a statutory small tenant^[F2]; or
 - (c) where the lease is an agricultural lease.]

- (2) In subsection (1) above—

^[F3]“agricultural lease” means a lease constituting a 1991 Act tenancy within the meaning of the Agricultural Holdings (Scotland) Act 2003 (asp 11) or a lease constituting a short limited duration tenancy ^[F4], a limited duration tenancy, a modern limited duration tenancy or a repairing tenancy] (within the meaning of that Act);]

“cottar” has the same meaning as in section 28(4) of the ^{M1}Crofters (Scotland) Act 1955;

“croft” has the same meaning as in section 3 of the Crofters (Scotland) Act 1955; and

“holding” (in relation to a landholder or statutory small tenant), “landholder” and “statutory small tenant” have the same meanings as in the Small Landholders (Scotland) Acts 1886 to 1931.

Textual Amendments

- F1** Words in s. 7(1)(a)(b) repealed (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), s. 95(3)(4), [Sch. para. 7\(a\)\(i\)](#) (with s. 95(2)); S.S.I. 2003/548, art. 2(i) (with Sch.)

Changes to legislation: Law Reform (Miscellaneous Provisions) (Scotland) Act 1985, Section 7 is up to date with all changes known to be in force on or before 22 April 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

- F2** S. 7(1)(c) and preceding word inserted (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), s. 95(3)(4), **Sch. para. 7(a)(ii)** (with s. 95(2)); S.S.I. 2003/548, art. 2(i) (with Sch.)
- F3** Words in s. 7(2) substituted (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), s. 95(3)(4), **Sch. para. 7(b)** (with s. 95(2)); S.S.I. 2003/548, art. 2(i) (with Sch.)
- F4** Words in s. 7(2) substituted (30.11.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), s. 130(1), **sch. 2 para. 2(2)** (with s. 128); S.S.I. 2017/299, reg. 2, sch. (with reg. 8)

Modifications etc. (not altering text)

- C1** S. 7 excluded (3.2.1995) by [1994 c. 33, s. 106\(3\)\(a\)](#); S.I. 1995/127, art. 2(1), **Sch. 1**
S. 7 excluded (1.8.2000) by [1999 c. 33, s. 149\(3\)\(e\)](#); S.I. 2000/1985, art. 2, **Sch.**
- C2** Ss. 4-7 excluded by [2002 c. 29, s. 269A\(5\)](#) (as inserted (27.4.2017 for specified purposes, 31.1.2018 in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), **ss. 29(5)**, 58(1)(6); S.I. 2018/78, reg. 3(l))

Marginal Citations

- M1** [1955 c. 21](#).

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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. 8(5A) inserted by [2007 asp 3 s. 48\(3\)](#)