



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 3

USE OF AGRICULTURAL LAND: DIVERSIFICATION

41 Imposition of conditions by Land Court

- (1) Where the Land Court determines that an objection by the landlord to a notice of diversification is unreasonable—
 - (a) the objection is of no effect; and
 - (b) the land may be used—
 - (i) as mentioned in paragraph (a) of subsection (4) of section 40; and
 - (ii) from such date as the Court may fix,subject to any conditions imposed under subsection (2).
- (2) Where, by virtue of subsection (1), the land may be used as mentioned in section 40(4)
 - (a), the Land Court may impose on the tenant such reasonable conditions in relation to the use of the land as so mentioned as it considers appropriate.
- (3) Where the Land Court determines that a condition imposed by the landlord under section 40(10) is unreasonable, the Court may—
 - (a) remove the condition; and
 - (b) in its place, impose on the tenant such reasonable conditions as it considers appropriate.

Commencement Information

II S. 41 in force at 27.11.2003 by [S.S.I. 2003/548](#), [art. 2\(c\)](#) (with [Sch.](#))

Status:

Point in time view as at 05/12/2005. This version of this provision has been superseded.

Changes to legislation:

Agricultural Holdings (Scotland) Act 2003, Section 41 is up to date with all changes known to be in force on or before 01 September 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.