



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 4 **S**

COMPENSATION UNDER AGRICULTURAL TENANCIES

CHAPTER 2 **S**

COMPENSATION FOR DISTURBANCE AND DIVERSIFICATION ETC.

[^{F1}New types of tenancy]

53 Compensation for other particular things **S**

- (1) Section 44 (compensation for continuous adoption of special standard of farming) of the 1991 Act applies to short limited duration tenancies^[^{F1}], limited duration tenancies and modern limited duration tenancies] as it does to 1991 Act tenancies, but as if—
- (a) the references to the holding were references to the land;
 - (b) in subsection (2) of that section, the reference to a record of fixed equipment were a reference to fixed equipment specified under section 16 [^{F2}or 16A] of this Act; the reference to the date of the record were a reference to the date on which the equipment was so specified; and the words from “or” to the end were omitted; and
 - (c) in subsection (3) of that section, the reference to Part IV of that Act were a reference to section 45(1) of this Act.
- (2) Section 45A (compensation arising as a result of diversification etc.) of that Act, as read with subsection (1) of section 47 of that Act, applies to limited duration tenancies [^{F3}and to modern limited duration tenancies] as it does to 1991 Act tenancies, but as if the references to the holding were references to the land.
- (3) Section 52 (compensation for damage by game) of that Act applies to short limited duration tenancies^[^{F4}], limited duration tenancies and modern limited duration tenancies] as it does to 1991 Act tenancies.

Changes to legislation: *Agricultural Holdings (Scotland) Act 2003, Section 53 is up to date with all changes known to be in force on or before 27 July 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*

Textual Amendments

- F1** Words in s. 53(1) substituted (30.11.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), s. 130(1), [sch. 2 para. 7\(20\)\(a\)\(i\)](#) (with s. 128); S.S.I. 2017/299, reg. 2, sch.
- F2** Words in s. 53(1)(b) inserted (30.11.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), s. 130(1), [sch. 2 para. 7\(20\)\(a\)\(ii\)](#) (with s. 128); S.S.I. 2017/299, reg. 2, sch.
- F3** Words in s. 53(2) inserted (30.11.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), s. 130(1), [sch. 2 para. 7\(20\)\(b\)](#) (with s. 128); S.S.I. 2017/299, reg. 2, sch.
- F4** Words in s. 53(3) substituted (30.11.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), s. 130(1), [sch. 2 para. 7\(20\)\(c\)](#) (with s. 128); S.S.I. 2017/299, reg. 2, sch.

Commencement Information

- I1** S. 53 in force at 27.11.2003 by [S.S.I. 2003/548](#), [art. 2\(d\)](#) (with Sch.)

Changes to legislation:

Agricultural Holdings (Scotland) Act 2003, Section 53 is up to date with all changes known to be in force on or before 27 July 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.

[View outstanding changes](#)

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. 7C inserted by [2016 asp 18 s. 93\(2\)](#)
- s. 7D inserted by [2016 asp 18 s. 106\(2\)](#)
- s. 8F8G inserted by [2016 asp 18 s. 94\(2\)](#)
- s. 16B inserted by [2016 asp 18 s. 95\(2\)](#)
- s. 17A inserted by [2016 asp 18 s. 96\(2\)](#)
- s. 18B inserted by [2016 asp 18 s. 97\(2\)](#)
- s. 26(1)(1A) substituted for s. 26(1) by [2016 asp 18 s. 99\(4\)\(a\)](#)
- s. 26(3) inserted by [2016 asp 18 s. 99\(4\)\(c\)](#)