

*These notes relate to the Agricultural Holdings (Amendment) (Scotland)
Act 2012 (asp 6) which received Royal Assent on 12 July 2012*

AGRICULTURAL HOLDINGS (AMENDMENT) (SCOTLAND) ACT 2012

EXPLANATORY NOTES

THE 2012 ACT

3. The 2012 Act amends the law on agricultural holdings to: -
 - extend the definition of “near relative” (being the class of successors who are entitled to serve counter notice to a notice to quit) to include a grandchild of a deceased tenant farmer;
 - prohibit lease terms which provide for upward only or landlord only initiated rent reviews in Limited Duration Tenancies; and
 - provide that changes in rent resulting from the exercise or revocation of the option to tax by a landlord, or a change in the rate of VAT where such an option has effect, do not qualify as a “variation of rent” such as would prevent parties from seeking a determination from the Land Court on the rent for a period of three years.