
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 366

**The Land Reform (Scotland) Act 2016 (Consequential
and Saving Provisions) Regulations 2016**

Savings

- 3.—(1) The modification made by regulation 2 has no effect—
- (a) in relation to a lease of an agricultural holding which is bequeathed in accordance with section 11 of the 1991 Act (bequest of lease), where the will or other testamentary writing containing the bequest was made before 23rd December 2016;
 - (b) in relation to a relevant lease which is bequeathed in accordance with section 21 of the 2003 Act (bequest of lease), where the will or other testamentary writing containing the bequest was made before 23rd December 2016⁽¹⁾;
 - (c) where paragraph (2) applies.
- (2) This paragraph applies where an interest of a tenant under a lease of an agricultural holding or under a relevant lease—
- (a) is comprised in the estate of a deceased person;
 - (b) that person died before 23rd December 2016; and
 - (c) at the time of that person's death, the person had made no will or other testamentary writing containing a bequest of—
 - (i) a lease of an agricultural holding; or
 - (ii) a relevant lease.

(1) Section 21 of the 2003 Act applies section 11(2) to (7) of the 1991 Act, meaning that the modifications made also affect succession to lease constituting a short limited duration tenancy or a limited duration tenancy.