

SCHEDULE 1

Regulation 2

FORM 1

FORM OF NOTICE OF INTENTION TO RELINQUISH A TENANCY UNDER SECTION 32C(1) OF THE AGRICULTURAL HOLDINGS (SCOTLAND) ACT 1991

This Form 1 is for use where the Tenant wishes to notify the Landlord of an intention to relinquish a tenancy in accordance with section 32C(1) of the Agricultural Holdings (Scotland) Act 1991.

It should only be used when the Tenant wishes to give notice to relinquish the tenancy and where none of the conditions in section 32E of the Agricultural Holdings (Scotland) Act 1991 apply.

This Form 1 may be completed online and printed, or printed and completed by hand. If completing by hand, use black ink and block capital letters.

Name of holding: (1)

Full name and address of Landlord(s) (2):

Full name and address of Tenant(s) (3):

Date (4):

This Form 1 gives notice to the Landlord that the Tenant offers to quit the tenancy of (5)

.....

provided the Landlord pays to the Tenant the sum to be calculated in accordance with section 32L of the Agricultural Holdings (Scotland) Act 1991 in compensation.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

This notice is copied to the Tenant Farming Commissioner who will appoint a valuer to assess the compensation due. The Tenant Farming Commissioner will notify the Tenant and the Landlord of the person appointed. The Tenant and the Landlord have a preference that is appointed.

Full name and business address of preferred valuer (6):

.....
.....
.....
.....

The Tenant includes the information listed below in respect of the tenancy (set out in Annex 1):

1. The rent currently payable in respect of the holding.
2. Details of the last review of the rent carried out in respect of the holding, including how the review was conducted, the previous rental figure and whether the rent was varied or unchanged.
3. Any improvements carried out in respect of which compensation is sought by the Tenant and the date and cost of those improvements.
4. A copy if available of any record of tenants improvements eligible for compensation at waygo agreed with the Landlord.
5. A copy of any written lease and of any variations to the terms of the tenancy agreement.
6. A plan or plans sufficient to enable the valuer to identify the full extent of the holding as detailed in notes for guidance. (7)

Signed (8):

This notice is copied to the Tenant Farming Commissioner (9) by email/post (delete as appropriate)

Annex 1

RENT AND REVIEWS

The rent currently payable in respect of the holding is (10)

The rent was last reviewed on (11).....

The rent review was carried out by (12)

At that review the rent (13)

If available provide a copy of Tenant’s improvements eligible for compensation at waygo agreed under the tenant amnesty provisions.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Annex 2 IMPROVEMENTS

Date of improvement	Description of improvement	Number & Location of improvement (14)	Cost of improvement (15)

Annex 3 LEASE AND VARIATIONS

If more than one document, include the lease as document 3/1 and other lease documentation (eg variations, documented rent reviews, assignations) in chronological order with sequential numbering i.e 3/2, 3/3

Annex 4 PLANS

Include a plan showing the whole holding as 4/1 and any other plans required to show detail with sequential numbering i.e, 4/2, 4/3

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 2

Regulation 4

FORM 2

FORM OF NOTICE OF ACCEPTANCE UNDER SECTION 32Q(2)(a) OF THE AGRICULTURAL HOLDINGS (SCOTLAND) ACT 1991

This Form 2 is for use where the Landlord wishes to accept the Tenant’s notice of intention to relinquish in terms of section 32Q(2)(a) of the Agricultural Holdings (Scotland) Act 1991

This Form 2 may be completed online, or printed and completed by hand. If completed by hand, use black ink and block capital letters.

Name of holding (1):

Full name and address of Landlord(s) (2):

Full name and address of Tenant(s) (3):

Date (4):

This Form 2 gives notice to the Tenant that the Landlord will, in exchange for the Tenant quitting the Tenancy, pay to the Tenant the amount of compensation of as assessed by (5)

The Landlord acknowledges that if payment is not made within the timescales set out in section 32Q of the Agricultural Holdings (Scotland) Act 1991, the Tenant will have the rights to assign the tenancy set out in Chapter 2 of Part 3 of that Act: Assignment where Landlord does not accept notice of intention to relinquish.

Signed (6)

This notice is copied to the Tenant Farming Commissioner (7) by email/post (delete as appropriate).

SCHEDULE 3

Regulation 5

FORM 3

FORM OF NOTICE OF ACCEPTANCE UNDER SECTION 32Q(2)(a) OF THE
AGRICULTURAL HOLDINGS (SCOTLAND) ACT 1991 – RELEVANT
PARTNERSHIP

This Form 3 is for use where the Landlord wishes to accept the Tenant’s notice of intention to relinquish a tenancy in terms of section 32Q(2)(a) of the Agricultural Holdings (Scotland) Act 1991 and the Tenant is a relevant partnership within the meaning in regulation 2 of the Agricultural Holdings (Relinquishment and Assignment) (Modifications in respect of Limited Partnership Tenancies) (Scotland) Regulations 2020.

This Form 2 may be completed online, or printed and completed by hand. If completed by hand, use black ink and block capital letters.

Name of holding (1):

Full name and address of Landlord(s) (2):

Full name and address of Tenant(s) (3):

Date (4):

This Form 3 gives notice to the Tenant that the Landlord will, in exchange for the Tenant quitting the Tenancy, pay to the Tenant the amount of compensation of as assessed by (5)

Signed (6)

This notice is copied to the Tenant Farming Commissioner (7) by email/post (delete as appropriate).