



# Agricultural Holdings (Scotland) Act 1991

## 1991 CHAPTER 55

### [<sup>F1</sup>PART 3A

#### RELINQUISHING AND ASSIGNATION OF HOLDINGS

#### CHAPTER 1

#### TENANT'S OFFER TO RELINQUISH HOLDING

#### [<sup>F1</sup>Calculation of compensation

#### Textual Amendments

- F1** Pt. 3A inserted (23.12.2016 for specified purposes, 28.2.2021 in so far as not already in force) by [Land Reform \(Scotland\) Act 2016](#) (asp 18), ss. **110(2)**, 130(1) (with s. 128); S.S.I. 2016/365, reg. 2; S.S.I. 2020/428, reg. 2

#### 32L Compensation payable by landlord to tenant

The amount to be payable by the landlord to the tenant as compensation were the landlord to accept the notice of intention to relinquish is to be calculated as follows:

*Step 1* Deduct from the value of the land to which the holding relates if sold with vacant possession the value of the land if sold with the tenant still in occupation (both as assessed under section 32J(1) or, as the case may be, 32N(3)(a)).

*Step 2* Divide the amount calculated under Step 1 by 2.

*Step 3* Add to the amount of compensation to which the tenant would be entitled in relation to improvements the amount of compensation to which the tenant would be entitled under section 44 (as so assessed).

*Step 4* Deduct from the amount calculated under Step 3 the amount of compensation to which the landlord would be entitled under sections 45 and 45A (as so assessed).

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**Changes to legislation:** *There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Cross Heading: Calculation of compensation. (See end of Document for details)*

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*Step 5* Add to the amount calculated under Step 2 the amount calculated under Step 4.]

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