



# Agricultural Holdings (Scotland) Act 1991

## 1991 CHAPTER 55

### PART VII

#### ARBITRATION AND OTHER PROCEEDINGS

#### **62 Claims on termination of tenancy.**

[<sup>F1</sup>(1) This section applies to any claim referred to in section 60(2)(c) of this Act.]

- (2) Without prejudice to any other provision of this Act, no claim to which this section applies shall be enforceable unless before the expiry of 2 months after the termination of the tenancy the claimant has given notice in writing to his landlord or his tenant, as the case may be, of his intention to make the claim.
- (3) A notice under subsection (2) above shall specify the nature of the claim, and it shall be a sufficient specification thereof if the notice refers to the statutory provision, custom, or term of an agreement under which the claim is made.
- (4) The landlord and the tenant may within 4 months after the termination of the tenancy by agreement in writing settle any such claim and the Secretary of State may upon the application of the landlord or the tenant made within that period extend the said period by 2 months and, on a second such application made during these 2 months, by a further 2 months.
- (5) Where before the expiry of the period referred to in subsection (4) above and any extension thereof under that subsection any such claim has not been settled, the claim shall cease to be enforceable unless before the expiry of one month after the end of the said period and any such extension, or such longer time as the Secretary of State may in special circumstances allow
  - [<sup>F2</sup>(a) an application has been made to the Land Court; or
  - (b) an arbiter has been appointed or any application has been made for the appointment of an arbiter,

to determine the claim]

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*Changes to legislation: There are currently no known outstanding effects for the  
Agricultural Holdings (Scotland) Act 1991, Section 62. (See end of Document for details)*

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- (6) Where a tenant lawfully remains in occupation of part of an agricultural holding after the termination of a tenancy, references in subsections (2) and (4) above to the termination of the tenancy thereof shall be construed as references to the termination of the occupation.

**Textual Amendments**

- F1** S. 62(1) substituted (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), s. 95(3)(4), [Sch. para. 34\(a\)](#) (with s. 95(2)); S.S.I. 2003/548, art. 2(i) (with Sch.)
- F2** S. 62(5)(a)(b) substituted (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), s. 95(3)(4), [Sch. para. 34\(b\)](#) (with s. 95(2)); S.S.I. 2003/548, art. 2(i) (with Sch.)

**Modifications etc. (not altering text)**

- C1** S. 62 applied (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), **ss. 80(1)**, 95(3), 95(4) (with s. 95(2)); S.S.I. 2003/548, art. 2(g) (with Sch.)

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 62.