



Agricultural Holdings (Scotland) Act 1991

1991 CHAPTER 55

PART VII

ARBITRATION AND OTHER PROCEEDINGS

Sheep stock valuation

68 Sheep stock valuation.

- (1) This section and sections 69 to 72 of this Act shall apply where, under a lease of an agricultural holding, the tenant is required at the termination of the tenancy to leave the stock of sheep on the holding to be taken over by the landlord or by the incoming tenant at a price or valuation to be fixed by arbitration, referred to in this section and sections 69 to 72 of this Act as a “sheep stock valuation”.
- (2) In a sheep stock valuation where the lease was entered into before or on 6th November 1946, the arbiter shall in his award show the basis of valuation of each class of stock and state separately any amounts included in respect of acclimatisation or hefting or of any other consideration or factor for which he has made special allowance.
- (3) In a sheep stock valuation where the lease was entered into after 6th November 1946, the arbiter shall fix the value of the sheep stock in accordance—
 - (a) in the case of a valuation made in respect of a tenancy terminating at Whitsunday in any year, with Part I of Schedule 9 to this Act if the lease was entered into before 1st December 1986, otherwise with Part I of Schedule 10 to this Act; or
 - (b) in the case of a valuation made in respect of a tenancy terminating at Martinmas in any year, with the provisions of Part II of Schedule 9 to this Act, if the lease was entered into before 1st December 1986, otherwise with Part II of Schedule 10 to this Act,

and subsection (2) above shall apply in such a case as if for the words from “show the basis” to the end of the subsection there were substituted the words “state separately the particulars set forth in Part III of Schedule 9 (or, as the case may be, Schedule 10) to this Act”.

Status: Point in time view as at 25/09/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 68. (See end of Document for details)

- (4) Where an arbiter fails to comply with any requirement of subsection (2) or (3) above, his award may be set aside by the sheriff.
- (5) The Secretary of State may, by order made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament, vary the provisions of Schedule 10 to this Act, in relation to sheep stock valuations under leases entered into on or after the date of commencement of the order.

Status:

Point in time view as at 25/09/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 68.