

These notes relate to the Agricultural Holdings (Scotland) Act 2003 (asp 11) which received Royal Assent on 17 April 2003

AGRICULTURAL HOLDINGS (SCOTLAND) ACT 2003

EXPLANATORY NOTES

INTRODUCTION

Schedule

Amendments to Enactments

[Crofters \(Scotland\) Act 1993 \(c.44\)](#)

Paragraph 49

321. Section 29(1) of the 1993 Act provides that a sub-tenant of a croft is not a 1991 Act tenant. Paragraph 45(a) extends this exclusion to SLDTs and LDTs.
322. Section 30(5) of the 1993 Act states that nothing in that Act shall affect the provisions of the 1991 Act in relation to payment to outgoing tenants of compensation for improvement. Paragraph 45(b) extends this to include the 2003 Act as well as the 1991 Act.
323. Crofting landlords are permitted by paragraph 11 of Schedule 2 to the 1993 Act to enter onto a crofter's land for a range of purposes. Paragraph 45(c) ensures that the crofter's right to compensation for game damage in these circumstances relates to both the 1991 and 2003 Acts. The reference to determination by arbitration is removed, given the universal jurisdiction that the Land Court is to acquire in agricultural holdings disputes.