



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 1

AGRICULTURAL TENANCIES

CHAPTER 2

GENERAL PROVISION AS TO NEW TYPES OF TENANCY

Short limited duration tenancies and limited duration tenancies: general provision

10 Increase in rent: landlord's improvements

- (1) Where the landlord has carried out an improvement on the land comprised in a lease constituting a limited duration tenancy (whether or not one specified in Schedule 5 to the 1991 Act)—
- (a) at the request of, or in agreement with, the tenant;
 - (b) in pursuance of an undertaking given by the landlord by virtue of section 49(2) (as read with section 39(3) of the 1991 Act); or
 - (c) in compliance with a direction given by the Scottish Ministers under powers conferred on them by or under any enactment,
- subject to subsections (2) and (3), the rent payable is to be increased as from the completion of the improvement by an amount equal to the increase in the rental value of the land resulting from the carrying out of the improvement.
- (2) The landlord must give the tenant notice in writing of any such increase in the rent payable within 6 months of the completion of the improvement.
- (3) Where any grant has been made to the landlord in respect of an improvement mentioned in subsection (1), the increase in rent under that subsection must be reduced proportionately.