



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 7

JURISDICTION OF THE LAND COURT AND THE RESOLUTION OF DISPUTES

Jurisdiction of the Land Court: further provision

84 Power of Land Court to grant remedies etc.

- (1) Where the Land Court has by virtue of the 1991 Act or this Act determined any matter, it may, in relation to the rights of any party, make such order or grant such remedy as it considers appropriate and, in particular, it may make or grant (any or all)—
 - (a) a decree of interdict (including an interim decree);
 - (b) an order *ad factum praestandum* or an order of specific implement (including in either case an interim order);
 - (c) an order of specific restitution;
 - (d) an order of reduction or rectification;
 - (e) an order of removal or ejection (but not an interim order);
 - (f) an order for damages or other substitutionary redress;
 - (g) a declarator.
- (2) Where the Land Court makes an order under subsection (1)(b) in relation to a failure of the landlord to fulfil any obligation the landlord has towards the tenant in respect of fixed equipment, the Court—
 - (a) must specify the date by which the landlord is to comply with the order; and
 - (b) may, following an application by the landlord, specify a later date (in place of the date specified under paragraph (a)) by which the landlord is to comply with the order if it is satisfied that the landlord intends to comply with the order but reasonably requires more time to do so.
- (3) Where a matter before the Land Court by virtue of the 1991 Act or this Act concerns the removal or ejection of the tenant from the land to which the tenancy relates, the Court may order the finding of caution, or the giving of such undertaking as the Court considers appropriate, in relation to any liability of the landlord or tenant to the other

Status: This is the original version (as it was originally enacted).

which may arise from the landlord or, as the case may be, tenant remaining on the land pending the Court's determination of the matter.