



Agricultural Holdings (Scotland) Act 2003

2003 asp 11

PART 8

GENERAL PROVISIONS

93 Interpretation

In this Act (unless the context requires otherwise)—

“the 1991 Act” means the Agricultural Holdings (Scotland) Act 1991 (c. 55);

“1991 Act tenancy” is to be construed in accordance section 1;

“agriculture” is to be construed in accordance with section 85 (interpretation) of the 1991 Act; and “agricultural” and “non-agricultural” are to be construed accordingly;

“agricultural land” means land used for agriculture for the purposes of a trade or business;

“fixed equipment” is to be construed by reference to section 85 of the 1991 Act;

“the Land Court” means the Scottish Land Court;

“landlord” means any person for the time being entitled to receive the rents under a lease constituting a tenancy and includes the executor, assignee, legatee, donee, guardian [^{F1}or] legal representative (within the meaning of Part I of the Children (Scotland) Act 1995 (c. 36)) [^{F2}of a landlord or the trustee or interim trustee in the sequestration, under the Bankruptcy (Scotland) Act 2016, of a landlord's estate;]

[^{F3}“ limited duration tenancy ” means a tenancy—

- (a) created by virtue of section 5(1), or
- (b) converted by virtue of section 5(2), (3) or (4),

before the repeal of that section by section 85(2) of the Land Reform (Scotland) Act 2016,

“modern limited duration tenancy” is to be construed in accordance with section 5A,]

“the Parliament” means the Scottish Parliament;

[^{F4}“repairing tenancy” is to be construed in accordance with section 5C,]

“short limited duration tenancy” is to be construed in accordance with section 4;

“tenant” means the holder of land under a tenancy constituted by a lease and includes the executor, assignee, legatee, donee, guardian [^{F5}or] legal

Changes to legislation: Agricultural Holdings (Scotland) Act 2003, Section 93 is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

representative (within the meaning of Part I of the Children (Scotland) Act 1995) [F6of a tenant or the trustee or interim trustee in the sequestration, under the Bankruptcy (Scotland) Act 2016, of a tenant's estate;]
 “termination”, in relation to a tenancy, means the termination of the lease constituting the tenancy.

Textual Amendments

- F1** Word in s. 93 inserted (30.11.2016) by Bankruptcy (Scotland) Act 2016 (asp 21), s. 237(2), **sch. 8 para. 19(a)(i)** (with ss. 232, 234(3), 235, 236); S.S.I. 2016/294, reg. 2
- F2** Words in s. 93 substituted (30.11.2016) by Bankruptcy (Scotland) Act 2016 (asp 21), s. 237(2), **sch. 8 para. 19(a)(ii)** (with ss. 232, 234(3), 235, 236); S.S.I. 2016/294, reg. 2
- F3** Words in s. 93 substituted (30.11.2017) by Land Reform (Scotland) Act 2016 (asp 18), s. 130(1), **sch. 2 para. 7(30)(a)** (with s. 128); S.S.I. 2017/299, reg. 2, sch.
- F4** Words in s. 93 inserted (23.12.2016 for specified purposes) by Land Reform (Scotland) Act 2016 (asp 18), s. 130(1), **sch. 2 para. 7(30)(b)** (with s. 128); S.S.I. 2016/365, reg. 2, sch.
- F5** Word in s. 93 inserted (30.11.2016) by Bankruptcy (Scotland) Act 2016 (asp 21), s. 237(2), **sch. 8 para. 19(b)(i)** (with ss. 232, 234(3), 235, 236); S.S.I. 2016/294, reg. 2
- F6** Words in s. 93 substituted (30.11.2016) by Bankruptcy (Scotland) Act 2016 (asp 21), s. 237(2), **sch. 8 para. 19(b)(ii)** (with ss. 232, 234(3), 235, 236); S.S.I. 2016/294, reg. 2

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7C inserted by [2016 asp 18 s. 93\(2\)](#)
- s. 7D inserted by [2016 asp 18 s. 106\(2\)](#)
- s. 8F8G inserted by [2016 asp 18 s. 94\(2\)](#)
- s. 16B inserted by [2016 asp 18 s. 95\(2\)](#)
- s. 17A inserted by [2016 asp 18 s. 96\(2\)](#)
- s. 18B inserted by [2016 asp 18 s. 97\(2\)](#)
- s. 26(1)(1A) substituted for s. 26(1) by [2016 asp 18 s. 99\(4\)\(a\)](#)
- s. 26(3) inserted by [2016 asp 18 s. 99\(4\)\(c\)](#)