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**Changes to legislation:** Land Reform (Scotland) Act 2016, Paragraph 16 is up to date with all changes known to be in force on or before 25 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

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## SCHEDULE 2 AGRICULTURAL HOLDINGS: MINOR AND CONSEQUENTIAL MODIFICATIONS

### PART 4

#### ASSIGNATION AND SUCCESSION

##### 2003 Act

- 16 (1) The 2003 Act is amended as follows.
- (2) In section 21 (bequest of lease), for subsection (2) substitute—
- “(2) Sections 11(2) and (3), 12A, 12B and 12C(1) and (2) of the 1991 Act apply in relation to subsection (1) as they do in relation to section 11(1), subject to the following modifications—
- (a) in section 11(2), the words “of a holding” and “of the holding” are omitted,
  - (b) in section 12A, in subsections (3)(b) and (c) and (4)(b), for “holding” substitute “land comprised in the lease”,
  - (c) in section 12C, in subsection (1), for “holding” substitute “land comprised in the lease”.”.
- (3) In section 22 (right of landlord to object to acquirer of tenancy), for subsection (2) substitute—
- “(2) Sections 12A, 12B and 12C(1), (2) and (5) of the 1991 Act apply in relation to subsection (1) as they do in relation to section 12(1), subject to the following modifications—
- (a) in section 12A—
    - (i) in subsection (2), the reference to notice given under section 12(1) is to be read as a reference to notice given under subsection (1),
    - (ii) in subsections (3)(b) and (c) and (4)(b), for “holding” substitute “land comprised in the lease”,
  - (b) in section 12B(2), the reference to notice given under section 12(1) is to be read as a reference to notice given under subsection (1),
  - (c) in section 12C, in subsection (1), for “holding” substitute “land comprised in the lease”.”.

#### Commencement Information

**II** Sch. 2 para. 16 in force at 23.12.2016 by S.S.I. 2016/365, reg. 2, sch. (with regs. 3-15)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I. 2017/299, regs. 5-14, by [S.S.I. 2017/370 reg. 34](#)