

*Draft Order laid before the Scottish Parliament under section 73(4) of the Agricultural Holdings (Scotland) Act 1991 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2018 No.**

**LANDLORD AND TENANT**

**The Agricultural Holdings (Scotland) Act  
1991 (Variation of schedule 5) Order 2018**

*Made* - - - - 2018  
*Coming into force* - - 2018

The Scottish Ministers make the following Order in exercise of the powers conferred by section 73(1) of the Agricultural Holdings (Scotland) Act 1991<sup>(1)</sup> and all other powers enabling them to do so.

The Scottish Ministers have consulted with persons appearing to them to represent the interests of landlords and tenants of agricultural holdings, as required by section 73(1) of that Act.

In accordance with section 73(4) of that Act<sup>(2)</sup>, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Agricultural Holdings (Scotland) Act 1991 (Variation of schedule 5) Order 2018 and comes into force on the day after the day on which it is made.

(2) In this Order, “1991 Act” means the Agricultural Holdings (Scotland) Act 1991.

**Variation of Part II of schedule 5 of the 1991 Act**

2.—(1) Part II of schedule 5 of the 1991 Act (improvements for which notice is required) is varied in accordance with paragraphs (2) to (4).

(2) For paragraph 17, substitute—

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(1) [1991 c.55](#)  
The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 ([c.46](#))

(2) Section 73(4) of the Agricultural Holdings (Scotland) Act 1991 was modified by paragraph 5 of schedule 3 of the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#))