



# Housing Act 1988

## 1988 CHAPTER 50

### PART I

#### RENTED ACCOMMODATION

### CHAPTER III

#### ASSURED AGRICULTURAL OCCUPANCIES

#### **24 Assured agricultural occupancies**

- (1) A tenancy or licence of a dwelling-house is for the purposes of this Part of this Act an “assured agricultural occupancy” if—
  - (a) it is of a description specified in subsection (2) below; and
  - (b) by virtue of any provision of Schedule 3 to this Act the agricultural worker condition is for the time being fulfilled with respect to the dwelling-house subject to the tenancy or licence.
- (2) The following are the tenancies and licences referred to in subsection (1)(a) above—
  - (a) an assured tenancy which is not an assured shorthold tenancy;
  - (b) a tenancy which does not fall within paragraph (a) above by reason only of paragraph 3 or paragraph 7 of Schedule 1 to this Act (or of both of those paragraphs); and
  - (c) a licence under which a person has the exclusive occupation of a dwelling-house as a separate dwelling and which, if it conferred a sufficient interest in land to be a tenancy, would be a tenancy falling within paragraph (a) or paragraph (b) above.
- (3) For the purposes of Chapter I above and the following provisions of this Chapter, every assured agricultural occupancy which is not an assured tenancy shall be treated as if it were such a tenancy and any reference to a tenant, a landlord or any other expression appropriate to a tenancy shall be construed accordingly; but the provisions of Chapter

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*Status: This is the original version (as it was originally enacted).*

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I above shall have effect in relation to every assured agricultural occupancy subject to the provisions of this Chapter.

- (4) Section 14 above shall apply in relation to an assured agricultural occupancy as if in subsection (1) of that section the reference to an assured tenancy were a reference to an assured agricultural occupancy.

## **25 Security of tenure**

- (1) If a statutory periodic tenancy arises on the coming to an end of an assured agricultural occupancy—
- (a) it shall be an assured agricultural occupancy as long as, by virtue of any provision of Schedule 3 to this Act, the agricultural worker condition is for the time being fulfilled with respect to the dwelling-house in question; and
  - (b) if no rent was payable under the assured agricultural occupancy which constitutes the fixed term tenancy referred to in subsection (2) of section 5 above, subsection (3)(d) of that section shall apply as if for the words “the same as those for which rent was last payable under” there were substituted “monthly beginning on the day following the coming to an end of”.
- (2) In its application to an assured agricultural occupancy, Part II of Schedule 2 to this Act shall have effect with the omission of Ground 16.
- (3) In its application to an assured agricultural occupancy, Part III of Schedule 2 to this Act shall have effect as if any reference in paragraph 2 to an assured tenancy included a reference to an assured agricultural occupancy.
- (4) If the tenant under an assured agricultural occupancy gives notice to terminate his employment then, notwithstanding anything in any agreement or otherwise, that notice shall not constitute a notice to quit as respects the assured agricultural occupancy.
- (5) Nothing in subsection (4) above affects the operation of an actual notice to quit given in respect of an assured agricultural occupancy.

## **26 Rehousing of agricultural workers etc**

In section 27 of the Rent (Agriculture) Act 1976 (rehousing: applications to housing authority)—

- (a) in subsection (1)(a) after “statutory tenancy” there shall be inserted “or an assured agricultural occupancy”; and
- (b) at the end of subsection (3) there shall be added “and assured agricultural occupancy has the same meaning as in Chapter III of Part I of the Housing Act 1988”.