

*Changes to legislation: Agriculture Act 2020, Cross Heading: Succession on death or retirement: condition relating to occupation of commercial unit is up to date with all changes known to be in force on or before 20 July 2024. 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*

## SCHEDULES

### SCHEDULE 3 **E+W**

#### AGRICULTURAL TENANCIES

#### **PART 1** **E+W**

#### AMENDMENTS TO THE AGRICULTURAL HOLDINGS ACT 1986

*Succession on death or retirement: condition relating to occupation of commercial unit*

- 10 In section 35 (application of sections 36 to 48), in subsection (2) omit “(and in Part I of Schedule 6 to this Act)”.

#### **Commencement Information**

- II** Sch. 3 para. 10 in force at Royal Assent for specified purposes, see s. 57(1)(b)(c)

- 11 (1) Section 36 (right of any eligible person to apply for new tenancy on death of tenant) is amended as follows.
- (2) In subsection (3)—
- (a) omit the words from “subject to” to “this Act and”;
  - (b) for “conditions are” substitute “condition is”;
  - (c) omit paragraph (b) and the preceding “and”.

- (3) For subsection (5) substitute—

“(5) For the purposes of the condition in subsection (3)(a), any period during which a close relative of the deceased was, in the period of seven years mentioned in that condition, attending a full-time course at a university, college or other establishment of higher or further education shall be treated as a period throughout which the relative's only or principal source of livelihood derived from the relative's agricultural work on the holding; but not more than three years in all shall be so treated by virtue of this subsection.”

#### **Commencement Information**

- I2** Sch. 3 para. 11 in force at Royal Assent for specified purposes, see s. 57(1)(b)(c)

- 12 In section 41 (application by not fully eligible person), in subsection (1) omit paragraph (a).

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**Commencement Information**

**I3** Sch. 3 para. 12 in force at Royal Assent for specified purposes, see s. 57(1)(b)(c)

13 (1) Section 50 (right to apply for new tenancy on retirement of tenant) is amended as follows.

(2) In subsection (2)—

- (a) omit the words from “(subject to” to “subsection (4) below”;
- (b) for “conditions are” substitute “condition is”;
- (c) omit paragraph (b) and the preceding “and”.

(3) For subsection (4) substitute—

“(4) For the purposes of the condition in subsection (2)(a), any period during which a close relative of the retiring tenant was, in the period of seven years mentioned in that condition, attending a full-time course at a university, college or other establishment of higher or further education shall be treated as a period throughout which the relative's only or principal source of livelihood derived from the relative's agricultural work on the holding; but not more than three years in all shall be so treated by virtue of this subsection.”

**Commencement Information**

**I4** Sch. 3 para. 13 in force at Royal Assent for specified purposes, see s. 57(1)(b)(c)

14 Omit section 58 (effect of direction under section 53 on succession to other holdings).

**Commencement Information**

**I5** Sch. 3 para. 14 in force at Royal Assent for specified purposes, see s. 57(1)(b)(c)

15 (1) Section 59 (interpretation of Part 4) is amended as follows.

(2) In subsection (1) omit the words from “(and” to “this Act”.

(3) In subsection (2) omit the words from “(and” to “above”.

**Commencement Information**

**I6** Sch. 3 para. 15 in force at Royal Assent for specified purposes, see s. 57(1)(b)(c)

16 Omit Schedule 6 (eligibility to apply for new tenancy).

**Commencement Information**

**I7** Sch. 3 para. 16 in force at Royal Assent for specified purposes, see s. 57(1)(b)(c)

**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. 42(4A)(4B) inserted by [2021 c. 10 s. 9\(2\)](#)
- s. 42(6A)-(6C) inserted by [2021 c. 10 s. 9\(4\)](#)