
STATUTORY INSTRUMENTS

2021 No. 324

LANDLORD AND TENANT, ENGLAND

The Agricultural Holdings (Transitional
Provision) (England) Regulations 2021

Made - - - - 16th March 2021

Coming into force - - 17th March 2021

The Secretary of State makes these Regulations in exercise of the power conferred by section 54(1) of the Agriculture Act 2020⁽¹⁾.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Agricultural Holdings (Transitional Provision) (England) Regulations 2021 and come into force on the day after the day on which they are made.

(2) These Regulations apply in England only.

Transitional provision

2.—(1) From the day on which these Regulations come into force until the relevant date, section 39(8) of the 1986 Act as it had effect immediately before the Agriculture Act 2020 was passed applies for the purposes of section 39 of the 1986 Act (other than subsection (8A)).

(2) In this regulation—

“the 1986 Act” means the Agricultural Holdings Act 1986⁽²⁾;

“relevant date” means the day on which the first regulations made under section 39(8)⁽³⁾ of the 1986 Act which apply in England come into force.

(1) 2020 c. 21. “Appropriate authority” is defined in section 54(2).

(2) 1986 c. 5; paragraph 17 of Schedule 3 to the Agriculture Act 2020 amended section 39, substituting subsection (8) and inserting subsection (8A).

(3) The power to make regulations is set out in section 39(8) as substituted by the Agriculture Act 2020.

16th March 2021

Victoria Prentis
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the power conferred by section 54(1) of the Agriculture Act 2020 to make transitional provisions in connection with the coming into force of provisions of that Act. Regulation 2 makes provision requiring that, when making a determination under section 39(2) or section 39(6) of the Agricultural Holdings Act 1986 (“the 1986 Act”), the Tribunal must have regard to the matters set out in section 39(8) as it had effect immediately before the Agriculture Act 2020 was passed. This transitional provision applies from the date on which these Regulations come into force until the date on which the first regulations made under section 39(8) of the 1986 Act which apply in England come into force.

A full regulatory impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.