
WELSH STATUTORY INSTRUMENTS

2024 No. 788 (W. 122) (C. 49)

LANDLORD AND TENANT, WALES

**The Agriculture Act 2020 (Commencement No. 3
and Transitional Provision) (Wales) Regulations 2024**

Made - - - -

9 July 2024

The Welsh Ministers, in exercise of the powers conferred by section 57(3)(a) of the Agriculture Act 2020⁽¹⁾, make the following Regulations.

Title and application

1.—(1) The title of these Regulations is the Agriculture Act 2020 (Commencement No. 3 and Transitional Provision) (Wales) Regulations 2024.

(2) These Regulations apply in relation to Wales.

Provisions coming into force on 1 September 2024

2. The following provisions of the Agriculture Act 2020 (“the 2020 Act”) come into force on 1 September 2024—

- (a) paragraphs 10 to 16 of Schedule 3 (succession on death or retirement: condition relating to occupation of a commercial unit),
- (b) paragraph 18 of Schedule 3 (succession on death or retirement: condition relating to suitability), and
- (c) section 36, so far as it relates to the paragraphs referred to in paragraphs (a) and (b) of this regulation.

Transitional Provision

3.—(1) Paragraph (2) applies to any application to the Tribunal made under Part 4 of the 1986 Act for a direction entitling the applicant to a tenancy of an agricultural holding on the death or retirement of a tenant where the date of death or the date of the giving of the retirement notice, as applicable, was before 1 September 2024.

(2) In relation to any application to which this paragraph applies, Part 4 of the 1986 Act continues to apply on and after 1 September 2024 as it had effect immediately before that date, as if the

(1) 2020 c. 21.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

amendments made by paragraphs 10 to 16 and 18 of Schedule 3 to the 2020 Act had not come into force.

(3) In this regulation—

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

“application” (“*cais*”) includes any proceedings arising out of any such application or any direction given in any such proceedings.

(4) Expressions used in this regulation and in Part 4 of the 1986 Act have the same meaning as in that Part.

9 July 2024

Huw Irranca-Davies
Cabinet Secretary for Climate Change and Rural
Affairs, one of the Welsh Ministers

(2) 1986 c. 5.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force in Wales, on 1 September 2024, paragraphs 10 to 16 and paragraph 18 of Schedule 3 to, and, in part, section 36 of the Agriculture Act 2020 (c. 21) (“the Act”). These are the third commencement regulations under the Act which apply in relation to Wales.

Regulation 2(a) brings into force paragraphs 10 to 16 of Schedule 3 to the Act which provide for the amendment of the Agricultural Holdings Act 1986 (c. 5) (“the 1986 Act”) in relation to succession on the death or retirement of a tenant and the condition that must be met by applicants relating to the occupation of a commercial unit.

Regulation 2(b) brings into force paragraph 18 of Schedule 3 to the Act which provides for the amendment of section 53 of the 1986 Act in relation to succession on the death or retirement of a tenant and the condition that must be met by applicants relating to suitability with regard to applications for the tenancy of a holding by a nominated successor.

Regulation 2(c) brings into force section 36 of the Act so far as it relates to the above provisions.

Regulation 3 makes transitional provision.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Agriculture Act 2020 have been brought into force in Wales by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 46 (partially)	1.1.2021	2020/1648 (W. 346) (C. 51)
Paragraphs 7 and 8 of Schedule 5	1.1.2021	2020/1648 (W. 346) (C. 51)
Part 4 of Schedule 7	13.12.2022	2022/1204 (W. 248) (C. 94)
Section 52 (partially)	13.12.2022	2022/1204 (W. 248) (C. 94)