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WELSH STATUTORY INSTRUMENTS

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**2024 No. 798**

**The Agricultural Holdings (Requests for  
Landlord's Consent or Variation of Terms and  
the Suitability Test) (Wales) Regulations 2024**

**PART 3**

**The Suitability Test**

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**5.—(1)** This Part applies where the Tribunal is determining a person's suitability to become the tenant of a holding in the case of a particular applicant under section 39(2), as between two or more applicants under section 39(6), or under section 53(5) of the 1986 Act.

(2) When determining an application as to whether a person is suitable to become the tenant of a holding under a provision referred to in paragraph (1), the Tribunal must have regard to all relevant matters including—

- (a) the person's likely capability to farm the holding commercially, with or without other land, taking into account the need for high standards of efficient production and care for the environment in relation to managing that holding;
- (b) the person's experience, training and skills in agriculture and business management;
- (c) the person's financial standing and their character;
- (d) the character, situation and condition of the holding;
- (e) the terms of the tenancy,

and having had regard to all relevant matters, the Tribunal must be satisfied that, if the applicant had applied in an open competition for a tenancy of this holding, that is assumed to be available under the 1986 Act, a prudent and willing landlord could reasonably be expected to regard the applicant as among the candidates to whom they would be willing to grant the tenancy.

(3) When determining an application under paragraph (1), the Tribunal must disregard—

- (a) all offers as to rent in relation to the holding;
- (b) the age of the person applying.