



Agricultural Holdings Act 1986

1986 CHAPTER 5

PART IV

SUCCESSION ON DEATH OR RETIREMENT OF TENANT

Tenancies to which Part IV applies

34 Tenancies to which Part IV applies.

- (1) The provisions of this Part of this Act shall have effect with respect to—
- (a) any tenancy of an agricultural holding granted before 12th July 1984, and
 - (b) a tenancy granted on or after that date if (but only if)—
 - (i) the tenancy was obtained by virtue of a direction of the Tribunal under section 39 or 53 below,
 - (ii) the tenancy was granted (following a direction under section 39 below) in circumstances within section 45(6) below,
 - (iii) the tenancy was granted by a written contract of tenancy indicating (in whatever terms) that this Part of this Act is to apply in relation to the tenancy, or
 - (iv) the tenancy was granted otherwise than as mentioned in the preceding provisions of this subsection to a person who, immediately before that date, was a tenant of the holding or of any agricultural holding which comprised the whole or a substantial part of the land comprised in the holding.
- (2) In this section “tenant” does not include an executor, administrator, trustee in bankruptcy or other person deriving title from a tenant by operation of law.
- [^{F1}(3) Where this Act applies in relation to a tenancy by virtue of section 4(1)(g) of the Agricultural Tenancies Act 1995 ^{F2}, the reference in subsection (1)(b)(iv) above to a substantial part of the land comprised in the holding means a substantial part determined by reference to either area or value.]

Changes to legislation: *There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Cross Heading: Tenancies to which Part IV applies. (See end of Document for details)*

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Textual Amendments

- F1** S. 34(3) inserted (19.10.2006) by [The Regulatory Reform \(Agricultural Tenancies\) \(England and Wales\) Order 2006 \(S.I. 2006/2805\)](#), **art. 4(1)** (with art. 10)
- F2** 1995 c.8.

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