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*Changes to legislation:* There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Paragraph 7. (See end of Document for details)

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## SCHEDULES

### [<sup>F1</sup>SCHEDULE 6

#### ELIGIBILITY TO APPLY FOR NEW TENANCY UNDER PART IV OF THIS ACT

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##### Textual Amendments

- F1** Sch. 6 omitted (11.11.2020 for specified purposes) by virtue of [Agriculture Act 2020 \(c. 21\)](#), s. 57(1)(b)(c), [Sch. 3 para. 16](#)

#### PART I

##### “ELIGIBLE PERSON”: SUPPLEMENTARY PROVISIONS

###### *Joint occupation*

- 7 (1) Where any agricultural land is jointly occupied by a close relative of the deceased and one or more other persons as—
- beneficial joint tenants,
  - tenants in common,
  - joint tenants under a tenancy, or
  - joint licensees,
- the relative shall be treated for the purposes of the occupancy condition as occupying the whole of the land.
- (2) If, however, the Tribunal in proceedings under section 39 of this Act determine on the application of the close relative that his appropriate share of the net annual income which the land is, or was at any time, capable of producing for the purposes of paragraph 3 above is or was then less than the aggregate of the earnings referred to in that paragraph, then, for the purpose of determining whether the occupancy condition is or was then satisfied in his case, the net annual income which the land is, or (as the case may be) was, capable of so producing shall be treated as limited to his appropriate share.
- (3) For the purposes of sub-paragraph (2) above the appropriate share of the close relative shall be ascertained—
- where he is a beneficial or other joint tenant or a joint licensee, by dividing the net annual income which the land is or was at the time in question capable of producing for the purposes of paragraph 3 above by the total number of joint tenants or joint licensees for the time being,
  - where he is a tenant in common, by dividing the said net annual income in such a way as to attribute to him and to the other tenant or tenants in common shares of the income proportionate to the extent for the time being of their respective undivided shares in the land.]

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Paragraph 7.