

Changes to legislation: Agricultural Holdings Act 1986, Paragraph 1 is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 6

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

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

Preliminary

- 1 (1) In this Schedule—
- “the livelihood condition” means paragraph (a) of the definition of “eligible person” in section 36(3) of this Act;
 - “the occupancy condition” means paragraph (b) of that definition.
- (2) For the purposes of the Schedule a body corporate is controlled by a close relative of the deceased if he or his spouse [^{F2}or his civil partner], or he and his spouse together [^{F3}or he and his civil partner together], have the power to secure—
- (a) by means of the holding of shares or the possession of voting power in or in relation to that or any other body corporate, or
 - (b) by virtue of any powers conferred by the articles of association or other document regulating that or any other body corporate,
- that the affairs of that body corporate are conducted in accordance with his, her or their wishes, respectively.
- (3) Any reference in this Schedule to the spouse of a close relative of the deceased does not apply in relation to any time when the relative’s marriage is the [^{F4}subject of—
- (a) a judicial separation order or decree of judicial separation, or
 - (b) a conditional divorce or nullity of marriage order or a decree nisi of divorce or of nullity of marriage.]
- [^{F5}(4) Any reference in this Schedule to the civil partner of a close relative of the deceased does not apply in relation to any time when the relative’s civil partnership is subject to—
- (a) a separation order under Chapter 2 of Part 2 of the Civil Partnership Act 2004, or
 - (b) a dissolution order, nullity order or presumption of death order that is a conditional order under that Chapter.]]

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Textual Amendments

- F2** Words in Sch. 6 para. 1(2) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), **Sch. 8 para. 39(2)(a)**; S.I. 2005/3175, {art. 2(1), Sch. 1}
- F3** Words in Sch. 6 para. 1(2) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), **Sch. 8 para. 39(2)(b)**; S.I. 2005/3175, {art. 2(1), Sch. 1}
- F4** Words in Sch. 6 para. 1(3) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), **Sch. para. 50**; S.I. 2022/283, reg. 2
- F5** Sch. 6 para. 1(4) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), **Sch. 8 para. 39(3)**; S.I. 2005/3175, {art. 2(1), Sch. 1}

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Changes and effects yet to be applied to :

- [Sch. 6 para. 1\(3\) amended \(prosp.\) by 1996 c. 27 s. 66\(1\)Sch. 8 Pt. 1 para. 36](#)