



# Agricultural Holdings Act 1986

## 1986 CHAPTER 5

### PART IV

#### SUCCESSION ON DEATH OR RETIREMENT OF TENANT

##### *Succession on retirement of tenant*

#### **50 Right to apply for new tenancy on retirement of tenant.**

- (1) The eligible person named in the retirement notice may (subject to section 57(2) below) apply under section 53 below to the Tribunal for a direction entitling him to a tenancy of the holding unless excluded by section 51 below.
- (2) For the purposes of sections 49 to 58 of this Act, “eligible person” means (subject to the provisions of Part I of Schedule 6 to this Act as applied by subsection (4) below) a close relative of the retiring tenant in whose case the following conditions are satisfied—
  - (a) in the last seven years his only or principal source of livelihood throughout a continuous period of not less than five years, or two or more discontinuous periods together amounting to not less than five years, derived from his agricultural work on the holding or on an agricultural unit of which the holding forms part, and
  - (b) he is not the occupier of a commercial unit of agricultural land.
- (3) In the case of the wife of the retiring tenant the reference in subsection (2)(a) above to the relative’s agricultural work shall be read as a reference to agricultural work carried out by either the wife or the retiring tenant (or both of them).
- [<sup>F1</sup>(3A) In the case of the civil partner of the retiring tenant the reference in subsection (2)(a) above to the relative’s agricultural work shall be read as a reference to agricultural work carried out by either the civil partner or the retiring tenant (or both of them).]
- (4) Part I of Schedule 6 to this Act shall apply for the purposes of supplementing subsection (2) above and making provision with respect to the assessment of the productive capacity of agricultural land for the purposes of paragraph (b) of that subsection, but subject to the modifications set out in Part II of that Schedule.

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*Status: Point in time view as at 19/10/2006. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Section 50. (See end of Document for details)*

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[<sup>F2</sup>(5) The reference in subsection (2)(a) above to agricultural work carried out by a person on the holding or on an agricultural unit of which the holding forms part includes—

- (a) agricultural work carried out by him from the holding or an agricultural unit of which the holding forms part, and
- (b) other work carried out by him on or from the holding or an agricultural unit of which the holding forms part,

which is of a description approved in writing by the landlord after the commencement of this subsection.]

#### **Textual Amendments**

**F1** S. 50(3A) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), **Sch. 8 para. 38**; S.I. 2005/3175, {art. 2(1), Sch. 1}

**F2** S. 50(5) inserted (19.10.2006) by [The Regulatory Reform \(Agricultural Tenancies\) \(England and Wales\) Order 2006 \(S.I. 2006/2805\)](#), **art. 5(3)** (with art. 10)

**Status:**

Point in time view as at 19/10/2006. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Section 50.