



Agricultural Holdings Act 1986

1986 CHAPTER 5

PART IV

SUCCESSION ON DEATH OR RETIREMENT OF TENANT

Succession on retirement of tenant

52 Notices to quit restricting operation of section 53.

- (1) If the tenancy becomes the subject of a valid notice to quit given on or after the date of the giving of the retirement notice (but before the Tribunal have begun to hear any application by the nominated successor under section 53 below in respect of the retirement notice) and the notice to quit—
- (a) falls within Case C and is founded on a certificate granted under paragraph 9 of Part II of Schedule 3 to this Act in accordance with an application made before that date, or
 - (b) falls within Case F,
- the retirement notice shall be of no effect and no proceedings, or (as the case may be) no further proceedings, shall be taken under this Part of this Act in respect of it.
- (2) If the tenancy becomes the subject of a valid notice to quit given on or after the date of the giving of the retirement notice (but before the Tribunal have begun to hear any application by the nominated successor under section 53 below in respect of the retirement notice) and the notice to quit—
- (a) includes a statement that it is given for any such reason as is referred to in Case B, or
 - (b) includes a statement that it is given for any such reason as is referred to in Case D and is founded on a notice given for the purposes of that Case before that date,

the retirement notice shall be of no effect and no proceedings, or (as the case may be) no further proceedings, shall be taken under this Part of this Act in respect of it unless one of the events mentioned in subsection (3) below occurs.

*Changes to legislation: There are currently no known outstanding effects for the
Agricultural Holdings Act 1986, Section 52. (See end of Document for details)*

- (3) Those events are as follows—
- (a) it is determined by arbitration under this Act that the notice to quit is ineffective for the purposes of section 26(2) above on account of the invalidity of any such reason as aforesaid, or
 - (b) where a counter-notice is duly served under section 28(2) above—
 - (i) the Tribunal withhold consent to the operation of the notice to quit, or
 - (ii) the period for making an application to the Tribunal for such consent expires without such an application having been made.
- (4) Where—
- (a) one of the events mentioned in subsection (3) above occurs, and
 - (b) the notice to quit was given before the time when the relevant period for the purposes of sections 53(1) and 54(2) would expire apart from this subsection, that period shall for those purposes expire at the end of the period of one month beginning with the date on which the arbitrator's award is delivered to the tenant, with the date of the Tribunal's decision to withhold consent, or with the expiry of the said period for making an application (as the case may be).
- (5) For the purposes of this Part of this Act an application by the nominated successor under section 53 below which is invalidated by subsection (1) or (2) above shall be treated as if it had never been made.

Changes to legislation:

There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Section 52.