



# Agricultural Tenancies Act 1995

## 1995 CHAPTER 8

### PART I

#### GENERAL PROVISIONS

##### *Termination of the tenancy*

#### **5 Tenancies for more than two years to continue from year to year unless terminated by notice**

- (1) A farm business tenancy for a term of more than two years shall, instead of terminating on the term date, continue (as from that date) as a tenancy from year to year, but otherwise on the terms of the original tenancy so far as applicable, unless at least twelve months but less than twenty-four months before the term date a written notice has been given by either party to the other of his intention to terminate the tenancy.
- (2) In subsection (1) above “the term date”, in relation to a fixed term tenancy, means the date fixed for the expiry of the term.
- (3) For the purposes of section 140 of the Law of Property Act 1925 (apportionment of conditions on severance of reversion), a notice under subsection (1) above shall be taken to be a notice to quit.
- (4) This section has effect notwithstanding any agreement to the contrary.

#### **6 Length of notice to quit**

- (1) Where a farm business tenancy is a tenancy from year to year, a notice to quit the holding or part of the holding shall (notwithstanding any provision to the contrary in the tenancy) be invalid unless—
  - (a) it is in writing,
  - (b) it is to take effect at the end of a year of the tenancy, and
  - (c) it is given at least twelve months but less than twenty-four months before the date on which it is to take effect.

- (2) Where, by virtue of section 5(1) of this Act, a farm business tenancy for a term of more than two years is to continue (as from the term date) as a tenancy from year to year, a notice to quit which complies with subsection (1) above and which is to take effect on the first anniversary of the term date shall not be invalid merely because it is given before the term date; and in this subsection “the term date” has the meaning given by section 5(2) of this Act.
- (3) Subsection (1) above does not apply in relation to a counter-notice given by the tenant by virtue of subsection (2) of section 140 of the Law of Property Act 1925 (apportionment of conditions on severance of reversion).

**7 Notice required for exercise of option to terminate tenancy or resume possession of part**

- (1) Where a farm business tenancy is a tenancy for a term of more than two years, any notice to quit the holding or part of the holding given in pursuance of any provision of the tenancy shall (notwithstanding any provision to the contrary in the tenancy) be invalid unless it is in writing and is given at least twelve months but less than twenty-four months before the date on which it is to take effect.
- (2) Subsection (1) above does not apply in relation to a counter-notice given by the tenant by virtue of subsection (2) of section 140 of the Law of Property Act 1925 (apportionment of conditions on severance of reversion).
- (3) Subsection (1) above does not apply to a tenancy which, by virtue of subsection (6) of section 149 of the Law of Property Act 1925 (lease for life or lives or for a term determinable with life or lives or on the marriage of the lessee), takes effect as such a term of years as is mentioned in that subsection.