



Agricultural Tenancies Act 1995

1995 CHAPTER 8

PART IV

MISCELLANEOUS AND SUPPLEMENTAL

Supplemental

38 Interpretation.

(1) In this Act, unless the context otherwise requires—

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;

“building” includes any part of a building;

“fixed term tenancy” means any tenancy other than a periodic tenancy;

“holding”, in relation to a farm business tenancy, means the aggregate of the land comprised in the tenancy;

“landlord” includes any person from time to time deriving title from the original landlord;

“livestock” includes any creature kept for the production of food, wool, skins or fur or for the purpose of its use in the farming of land;

[^{F1}“professional authority” has the same meaning as it has for the time being for the purposes of section 84 of the Agricultural Holdings Act 1986;]

“tenancy” means any tenancy other than a tenancy at will, and includes a sub-tenancy and an agreement for a tenancy or sub-tenancy;

“tenant” includes a sub-tenant and any person deriving title from the original tenant or sub-tenant;

“termination”, in relation to a tenancy, means the cesser of the tenancy by reason of effluxion of time or from any other cause.

Changes to legislation: *Agricultural Tenancies Act 1995, Section 38 is up to date with all changes known to be in force on or before 12 April 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*

- (2) References in this Act to the farming of land include references to the carrying on in relation to land of any agricultural activity.
- (3) A tenancy granted pursuant to a contract shall be taken for the purposes of this Act to have been granted when the contract was entered into.
- (4) For the purposes of this Act a tenancy begins on the day on which, under the terms of the tenancy, the tenant is entitled to possession under that tenancy; and references in this Act to the beginning of the tenancy are references to that day.
- (5) The designations of landlord and tenant shall continue to apply until the conclusion of any proceedings taken under this Act in respect of compensation.

Textual Amendments

- F1** Words in s. 38(1) substituted (11.11.2020 for specified purposes, 11.1.2021 in so far as not already in force) by [Agriculture Act 2020 \(c. 21\)](#), s. 57(1)(b)(c)(6), [Sch. 3 para. 28](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 8A inserted by [2023 asc 4 s. 24\(4\)](#)
- s. 28(5)(za) inserted by [2023 asc 4 s. 24\(5\)](#)
- s. 36A inserted by [2023 asc 4 s. 24\(6\)](#)