
STATUTORY INSTRUMENTS

2006 No. 2805

**The Regulatory Reform (Agricultural
Tenancies) (England and Wales) Order 2006**

Application of agreed limit on resumption of possession of part of holding

17.—(1) In section 24(2), for “(4)” there shall be substituted “(4A)”.

(2) In section 24(4), after “shall apply”, there shall be inserted “(subject to subsection (4A) below)”.

(3) After section 24(4) there shall be inserted—

“(4A) Where—

- (a) the landlord and the tenant have agreed in writing, after the commencement of this subsection, to limit the amount of compensation payable under section 16 of this Act in respect of any tenant’s improvement not consisting of planning permission,
- (b) that improvement is provided for both the relevant part and the land comprised in the tenancy after the termination date,
- (c) the case falls within paragraph (a) or (b) of subsection (1) above,
- (d) the tenant has already received compensation in respect of the improvement, determined in accordance with subsection (2) above, and
- (e) further compensation in respect of the improvement is payable under section 16 of this Act on termination of the tenancy,

the compensation limit referred to in section 20(4A) of this Act shall, for the purposes of determining that further compensation, be reduced by an amount equal to the amount of compensation already received by the tenant in respect of the improvement.”.

(4) In section 24(5), for “(4)” there shall be substituted “(4A)”.