

## SCHEDULE 2

### EXCEPTIONS TO SECTION 7

#### PART 3

#### TENANCIES AND LICENCES THAT ARE NEVER OCCUPATION CONTRACTS

*The rule*

- 7 (1) A tenancy or licence is not an occupation contract at any time when this paragraph applies to it.
- (2) This paragraph applies to a tenancy or licence if all the persons with whom it is made are excluded from being contract-holders by section 7(6) (individuals who have not reached the age of 18).
- (3) This paragraph also applies to—
- (a) a tenancy to which Part 2 of the [Landlord and Tenant Act 1954 \(c. 56\)](#) (business tenancies) applies;
  - (b) a protected occupancy or a statutory tenancy within the meaning of the [Rent \(Agriculture\) Act 1976 \(c. 80\)](#);
  - (c) a protected tenancy or a statutory tenancy within the meaning of the [Rent Act 1977 \(c. 42\)](#);
  - (d) a secure tenancy that is a housing association tenancy, within the meaning of section 86 of the [Rent Act 1977](#);
  - (e) a tenancy of an agricultural holding within the meaning of the [Agricultural Holdings Act 1986 \(c. 5\)](#);
  - (f) a farm business tenancy within the meaning of the [Agricultural Tenancies Act 1995 \(c. 8\)](#);
  - (g) a long tenancy (see paragraph 8);
  - (h) a tenancy or licence which relates to armed forces accommodation (see paragraph 9);
  - (i) a tenancy or licence which relates to direct access accommodation (see paragraph 10).