



Agricultural Holdings Act 1986

1986 CHAPTER 5

PART IV

SUCCESSION ON DEATH OR RETIREMENT OF TENANT

Succession on death of tenant

35 Application of sections 36 to 48

- (1) Sections 36 to 48 below (except sections 40(5), 42 and 45(8) which are of general application) shall apply where—
- (a) an agricultural holding is held under a tenancy which falls within paragraph (a) or (b) of section 34(1) above, and
 - (b) the sole (or sole surviving) tenant (within the meaning of that section) dies and is survived by a close relative of his.
- (2) In sections 36 to 48 below (and in Part I of Schedule 6 to this Act)—
- " close relative " of a deceased tenant means—
 - (a) the wife or husband of the deceased ;
 - (b) a brother or sister of the deceased ;
 - (c) a child of the deceased ;
 - (d) any person (not within or above) who, in the case of any marriage to which the deceased was at any time a party, was treated by the deceased as a child of the family in relation to that marriage ;
 - "the date of death" means the date of the death of the deceased;
 - " the deceased " means the deceased tenant of the holding;
 - "the holding" (except where the context otherwise requires) means the agricultural holding mentioned in subsection (1) above;
 - " related holding " means, in relation to the holding, any agricultural holding comprising the whole or a substantial part of the land comprised in the holding ;
 - " the tenancy " means the tenancy of the holding.