



Agricultural Holdings Act 1986

1986 CHAPTER 5

PART VII

MISCELLANEOUS AND SUPPLEMENTAL

96 Interpretation.

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

“agreement” includes an agreement arrived at by means of valuation or otherwise, and “agreed” has a corresponding meaning;

“agricultural holding” has the meaning given by section 1 above;

“agricultural land” has the meaning given by section 1 above;

“agricultural unit” means land which is an agricultural unit for the purposes of the ^{M1}Agriculture Act 1947;

“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;

“Case A”, “Case B” (and so on) refer severally to the Cases set out and so named in Part I of Schedule 3 to this Act;

“contract of tenancy” has the meaning given by section 1 above;

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...

“fixed equipment” includes any building or structure affixed to land and any works on, in, over or under land, and also includes anything grown on land for a purpose other than use after severance from the land, consumption of the thing grown or of its produce, or amenity, and any reference to fixed equipment on land shall be construed accordingly;

“landlord” means any person for the time being entitled to receive the rents and profits of any land;

*Changes to legislation: There are currently no known outstanding effects for the
Agricultural Holdings Act 1986, Section 96. (See end of Document for details)*

“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 or the carrying on in relation to land of any agricultural activity;

“local government funds” means, in relation to any grant in respect of an improvement executed by the landlord or tenant of an agricultural holding, the funds of any body which, under or by virtue of any enactment, has power to make grants in respect of improvements of the description in question within any particular area (whether or not it is a local authority for that area);

“the Minister” means—

- (a) in relation to England, the [^{F2}Secretary of State], and
- (b) in relation to Wales, the Secretary of State;

“the model clauses” has the meaning given by section 7 above;

“pasture” includes meadow;

“prescribed” means prescribed by the Minister by regulations;

“relevant improvement” has the meaning given by section 64(2) above;

“tenant” means the holder of land under a contract of tenancy, and includes the executors, administrators, assigns, or trustee in bankruptcy of a tenant, or other person deriving title from a tenant;

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

[^{F3}“third party” and “third party determination” have the meaning given by section 84A(4) above;]

[^{F4}“the Tribunal” means—

- (a) where the agricultural holding (or the greater part of the holding) is in England, the First-tier Tribunal; and
- (b) where the agricultural holding (or the greater part of the holding) is in Wales, the Agricultural Land Tribunal (see section 73 of the Agriculture Act 1947).]

(2) For the purposes of this Act, a tenant is insolvent if—

- (a) he has been [^{F5}made] bankrupt or has made a composition or arrangement with his creditors, or
- (b) where the tenant is a body corporate, a winding-up order has been made with respect to it or a resolution for voluntary winding-up has been passed with respect to it (other than a resolution passed solely for the purposes of its reconstruction or of its amalgamation with another body corporate).

(3) Sections 10 and 11 of the Agriculture Act 1947 (which specify the circumstances in which an owner of agricultural land is deemed for the purposes of that Act to fulfil his responsibilities to manage the land in accordance with the rules of good estate management and an occupier of such land is deemed for those purposes to fulfil his responsibilities to farm it in accordance with the rules of good husbandry) shall apply for the purposes of this Act.

(4) References in this Act to the farming of land include references to the carrying on in relation to the land of any agricultural activity.

(5) References in this Act to the use of land for agriculture include, in relation to land forming part of an agricultural unit, references to any use of the land in connection with the farming of the unit.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Section 96. (See end of Document for details)

- (6) The designations of landlord and tenant shall continue to apply to the parties until the conclusion of any proceedings taken under or in pursuance of this Act in respect of compensation.

Textual Amendments

- F1** Words in s. 96(1) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 56](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F2** S. 96(1): words in definition of “the Minister” in para. (a) substituted (27.3.2002) by [S.I. 2002/794](#), art. 5(1), [Sch. 1 para. 27](#) (with arts. 5(3), 6)
- F3** Words in s. 96(1) inserted (26.3.2015 for specified purposes, 26.5.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e)(3)(a), [Sch. 4 para. 24](#)
- F4** Words in s. 96(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 209](#) (with Sch. 3)
- F5** Word in s. 96(2)(a) substituted (6.4.2016) by [The Enterprise and Regulatory Reform Act 2013 \(Consequential Amendments\) \(Bankruptcy\) and the Small Business, Enterprise and Employment Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/481\)](#), reg. 1, [Sch. 1 para. 18](#)

Marginal Citations

- M1** 1947 c. 48.

Changes to legislation:

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