



Housing Act 1988

1988 CHAPTER 50

PART I **E+W**

RENTED ACCOMMODATION

CHAPTER III **E+W**

ASSURED AGRICULTURAL OCCUPANCIES

Modifications etc. (not altering text)

- C1** Pt. I Chapter III modified (1.10.1997) by 1996 c. 27, ss. 53, 63(4), Sch. 7 Pt. II para. 7(5)(6)(with Sch. 9 paras. 8-10); S.I. 1997/1892, art. 3 (with art. 4)

24 Assured agricultural occupancies. **E+W**

- (1) A tenancy or licence of a dwelling-house is for the purposes of this Part of this Act an “assured agricultural occupancy” if—
- (a) it is of a description specified in subsection (2) below; and
 - (b) by virtue of any provision of Schedule 3 to this Act the agricultural worker condition is for the time being fulfilled with respect to the dwelling-house subject to the tenancy or licence.
- (2) The following are the tenancies and licences referred to in subsection (1)(a) above—
- (a) an assured tenancy which is not an assured shorthold tenancy;
 - (b) a tenancy which does not fall within paragraph (a) above by reason only of paragraph 3 [^{F1}, 3A, 3B] or paragraph 7 of Schedule 1 to this Act ([^{F2} or more than one of those paragraphs]) [^{F3} and is not an excepted tenancy]; and
 - (c) a licence under which a person has the exclusive occupation of a dwelling-house as a separate dwelling and which, if it conferred a sufficient interest in land to be a tenancy, would be a tenancy falling within paragraph (a) or paragraph (b) above.

Changes to legislation: Housing Act 1988, chapter III is up to date with all changes known to be in force on or before 24 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

- [^{F4}(2A) For the purposes of subsection (2)(b) above, a tenancy is an excepted tenancy if it is—
- (a) a tenancy of an agricultural holding within the meaning of the Agricultural Holdings Act 1986 in relation to which that Act applies, or
 - (b) a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995]
- (3) For the purposes of Chapter I above and the following provisions of this Chapter, every assured agricultural occupancy which is not an assured tenancy shall be treated as if it were such a tenancy and any reference to a tenant, a landlord or any other expression appropriate to a tenancy shall be construed accordingly; but the provisions of Chapter I above shall have effect in relation to every assured agricultural occupancy subject to the provisions of this Chapter.
- (4) Section 14 above shall apply in relation to an assured agricultural occupancy as if in subsection (1) of that section the reference to an assured tenancy were a reference to an assured agricultural occupancy.

Textual Amendments

- F1** Words inserted by S.I. 1990/434, reg. 2, Sch. para. 28
- F2** Words substituted by S.I. 1990/434, reg. 2, Sch. para. 28
- F3** Words in s. 24(2)(b) inserted (28.2.1997) by 1996 c. 52, s. 103(2); S.I. 1997/225, art. 2 (with Sch.)
- F4** S. 24(2A) inserted (28.2.1997) by 1996 c. 52, s. 103(3); S.I. 1997/225, art. 2 (with Sch.)

25 Security of tenure. **E+W**

- (1) If a statutory periodic tenancy arises on the coming to an end of an assured agricultural occupancy—
 - (a) it shall be an assured agricultural occupancy as long as, by virtue of any provision of Schedule 3 to this Act, the agricultural worker condition is for the time being fulfilled with respect to the dwelling-house in question; and
 - (b) if no rent was payable under the assured agricultural occupancy which constitutes the fixed term tenancy referred to in subsection (2) of section 5 above, subsection (3)(d) of that section shall apply as if for the words “the same as those for which rent was last payable under” there were substituted “monthly beginning on the day following the coming to an end of”.
- (2) In its application to an assured agricultural occupancy, Part II of Schedule 2 to this Act shall have effect with the omission of Ground 16.
- (3) In its application to an assured agricultural occupancy, Part III of Schedule 2 to this Act shall have effect as if any reference in paragraph 2 to an assured tenancy included a reference to an assured agricultural occupancy.
- (4) If the tenant under an assured agricultural occupancy gives notice to terminate his employment then, notwithstanding anything in any agreement or otherwise, that notice shall not constitute a notice to quit as respects the assured agricultural occupancy.
- (5) Nothing in subsection (4) above affects the operation of an actual notice to quit given in respect of an assured agricultural occupancy.

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26 Rehousing of agricultural workers etc. **E+W**

In section 27 of the ^{M1}Rent (Agriculture) Act 1976 (rehousing: applications to housing authority)—

- (a) in subsection (1)(a) after “statutory tenancy” there shall be inserted “ “or an assured agricultural occupancy ”; and
- (b) at the end of subsection (3) there shall be added “ “and assured agricultural occupancy has the same meaning as in Chapter III of Part I of the Housing Act 1988 ”.

Marginal Citations

M1 1976 c. 80.

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

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

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)