
Changes to legislation: Civil Partnership Act 2004, Cross Heading: Agricultural Holdings Act 1986 (c. 5) is up to date with all changes known to be in force on or before 20 March 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

SCHEDULES

SCHEDULE 8

HOUSING AND TENANCIES

Agricultural Holdings Act 1986 (c. 5)

- 36 (1) In sections 35(2) and 49(3) (interpretation respectively of sections 36 to 48, and sections 49 to 58, etc.), amend the definition of “close relative” as follows.
- (2) In paragraph (a), for “or husband” substitute “, husband or civil partner”.
- (3) In paragraph (d), after “marriage” (in each place) insert “ or civil partnership”.
- 37 In section 36 (eligible person may apply for new tenancy on death of tenant), after subsection (4) insert—
- “(4A) In the case of the deceased’s civil partner the reference in subsection (3) (a) above to the relative’s agricultural work shall be read as a reference to agricultural work carried out by either the civil partner or the deceased (or both of them).”
- 38 In section 50 (eligible person may apply for new tenancy on retirement of tenant), after subsection (3) insert—
- “(3A) In the case of the civil partner of the retiring tenant the reference in subsection (2)(a) above to the relative’s agricultural work shall be read as a reference to agricultural work carried out by either the civil partner or the retiring tenant (or both of them).”
- 39 (1) Amend Schedule 6 (eligibility to apply for new tenancy under Part 4) as follows.
- (2) In paragraph 1(2) (control of body corporate by deceased’s close relative)—
- (a) after “or his spouse” insert “ or his civil partner”, and
- (b) after “together” insert “ or he and his civil partner together”.
- (3) In paragraph 1 (preliminary), after sub-paragraph (3) insert—
- “(4) Any reference in this Schedule to the civil partner of a close relative of the deceased does not apply in relation to any time when the relative’s civil partnership is subject to—
- (a) a separation order under Chapter 2 of Part 2 of the Civil Partnership Act 2004, or
- (b) a dissolution order, nullity order or presumption of death order that is a conditional order under that Chapter.”
- (4) In paragraph 6(2) (no disregard of occupation by relative under tenancy granted by his spouse), after “spouse” insert “ or civil partner”.
- (5) In paragraph 9(1)(a) (occupation by spouse of relative treated as occupation by relative), after “spouse” insert “, or civil partner”.

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- (6) In paragraph 9(2) (cases involving joint occupation by spouse, or controlled body, and another)—
- (a) for the words from “joint occupation of land” to “sub-paragraphs” substitute “joint occupation of land by—
 - (a) his spouse or civil partner or a body corporate, and
 - (b) any other person or persons,
 - sub-paragraphs ”, and
 - (b) after “spouse” (in the second place) insert “ or civil partner, ”.
- (7) In paragraph 10(3)(a) (meaning of “connected person”), after “spouse” insert “ or civil partner ”.
- (8) In the italic heading before each of paragraphs 9 and 10, after “spouse” insert “ , civil partner ”.

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)