
STATUTORY INSTRUMENTS

2021 No. 597 (C. 20)

LANDLORD AND TENANT, ENGLAND

**The Agriculture Act 2020 (Commencement No. 1 and
Transitional Provision) (England) Regulations 2021**

Made - - - - 17th May 2021

The Secretary of State makes these Regulations in exercise of the power conferred by section 57(2) of the Agriculture Act 2020⁽¹⁾.

Citation, extent and application

1.—(1) These Regulations may be cited as the Agriculture Act 2020 (Commencement No. 1 and Transitional Provision) (England) Regulations 2021.

(2) These Regulations extend to England and Wales and apply in relation to England only.

Commencement of the Agriculture Act 2020

2. The following provisions of the Agriculture Act 2020 (“the 2020 Act”) come into force on 1st September 2024—

- (a) paragraphs 10 to 16 of Schedule 3 (succession on death or retirement: condition relating to occupation of a commercial unit),
- (b) paragraph 18 of Schedule 3 (succession on death or retirement: condition relating to suitability), and
- (c) section 36, so far as it relates to the paragraphs referred to in paragraphs (a) and (b).

Transitional Provision

3.—(1) Paragraph (2) applies to any application to the Tribunal made under Part 4 of the 1986 Act for a direction entitling the applicant to a tenancy of an agricultural holding on the death or retirement of a tenant where the date of death or the date of the giving of the retirement notice, as applicable, was before 1st September 2024.

(2) In relation to any application to which this paragraph applies, Part 4 of the 1986 Act continues to apply on and after 1st September 2024 as it had effect immediately before that date, as if the amendments made by paragraphs 10 to 16 and 18 of Schedule 3 to the 2020 Act had not come into force.

(1) 2020 c. 21.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) In this regulation—

“the 1986 Act” means the Agricultural Holdings Act 1986⁽²⁾;

“application” includes any proceedings arising out of any such application or any direction given in any such proceedings.

(4) Expressions used in this regulation and in Part 4 of the 1986 Act have the same meaning as in that Part.

Victoria Prentis
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

17th May 2021

(2) 1986 c. 5.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force in England, on 1st September 2024, paragraphs 10 to 16 and paragraph 18 of Schedule 3 to, and, in part, section 36 of the Agriculture Act 2020 (c. 21) (“the Act”). These are the first commencement regulations under the Act which apply in relation to England only.

Regulation 2(a) brings into force paragraphs 10 to 16 of Schedule 3 to the Act which provide for the amendment of the Agricultural Holdings Act 1986 (c. 5) (“the 1986 Act”) in relation to succession on the death or retirement of a tenant and the condition that must be met by applicants relating to the occupation of a commercial unit.

Regulation 2(b) brings into force paragraph 18 of Schedule 3 to the Act which provides for the amendment of section 53 of the 1986 Act in relation to succession on the death or retirement of a tenant and the condition that must be met by applicants relating to suitability with regard to applications for the tenancy of a holding by a nominated successor.

Regulation 2(c) brings into force section 36 of the Act so far as it relates to the above provisions.

Regulation 3 makes transitional provision.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Agriculture Act 2020 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 20	1.1.2021	2020/1650
section 21	1.1.2021	2020/1650