



# Agricultural Tenancies Act 1995

## 1995 CHAPTER 8

### PART III

#### COMPENSATION ON TERMINATION OF FARM BUSINESS TENANCY

##### *Amount of compensation*

#### **22 Settlement of claims for compensation.**

- (1) Any claim by the tenant under a farm business tenancy for compensation under section 16 of this Act shall, subject to the provisions of this section, be determined by arbitration under this section.
- (2) No such claim for compensation shall be enforceable unless before the end of the period of two months beginning with the date of the termination of the tenancy the tenant has given notice in writing to his landlord of his intention to make the claim and of the nature of the claim.
- (3) Where—
  - (a) the landlord and the tenant have not settled the claim by agreement in writing, and
  - (b) no arbitrator has been appointed under an agreement made since the notice under subsection (2) above was given,

either party may, after the end of the period of four months beginning with the date of the termination of the tenancy, apply to [<sup>F1</sup>a professional authority for the appointment of an arbitrator by that authority].

[<sup>F2</sup>(3A) A party may not make an application to a professional authority under subsection (3) above in relation to a claim if the other party has already made an application to a professional authority under that subsection in relation to that claim.]

- (4) Where—
  - (a) an application under subsection (3) above relates wholly or partly to compensation in respect of a routine improvement (within the meaning of

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**Changes to legislation:** Agricultural Tenancies Act 1995, Section 22 is up to date with all changes known to be in force on or before 19 May 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

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section 19 of this Act) which the tenant has provided or has begun to provide, and

- (b) that application is made at the same time as an application [<sup>F3</sup>to the same professional authority] under section 19(4) of this Act relating to the provision of that improvement,

[<sup>F4</sup>the professional authority] shall appoint the same arbitrator on both applications and, if both applications are made by the same person, only one fee shall be payable by virtue of section 30(2) of this Act in respect of them.

- (5) Where a tenant lawfully remains in occupation of part of the holding after the termination of a farm business tenancy, references in subsections (2) and (3) above to the termination of the tenancy shall, in the case of a claim relating to that part of the holding, be construed as references to the termination of the occupation.

#### Textual Amendments

- F1** Words in s. 22(3) substituted (11.11.2020 for specified purposes, 11.1.2021 in so far as not already in force) by [Agriculture Act 2020 \(c. 21\)](#), s. 57(1)(b)(c)(6), **Sch. 3 para. 25(2)**
- F2** S. 22(3A) inserted (11.11.2020 for specified purposes, 11.1.2021 in so far as not already in force) by [Agriculture Act 2020 \(c. 21\)](#), s. 57(1)(b)(c)(6), **Sch. 3 para. 25(3)**
- F3** Words in s. 22(4)(b) inserted (11.11.2020 for specified purposes, 11.1.2021 in so far as not already in force) by [Agriculture Act 2020 \(c. 21\)](#), s. 57(1)(b)(c)(6), **Sch. 3 para. 25(4)(a)**
- F4** Words in s. 22(4) substituted (11.11.2020 for specified purposes, 11.1.2021 in so far as not already in force) by [Agriculture Act 2020 \(c. 21\)](#), s. 57(1)(b)(c)(6), **Sch. 3 para. 25(4)(b)**

#### Modifications etc. (not altering text)

- C1** S. 22 restricted (1.9.1995) by [1995 c. 8](#), **ss. 40, 41(2)** Sch. para. 16 (with s. 37) (which Act inserted s. 25A into [1958 c. 69](#)).

**Changes to legislation:**

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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. 8A inserted by [2023 asc 4 s. 24\(4\)](#)
- s. 28(5)(za) inserted by [2023 asc 4 s. 24\(5\)](#)
- s. 36A inserted by [2023 asc 4 s. 24\(6\)](#)