
STATUTORY INSTRUMENTS

1996 No. 725

The Business Tenancies (Northern Ireland) Order 1996

Supplemental

Trusts

30.—(1) Where a tenancy is held on trust, occupation by all or any of the beneficiaries under the trust, and the carrying on of a business by all or any of the beneficiaries, shall be treated for the purposes of Article 3 as equivalent to occupation or the carrying on of a business by the tenant; and in relation to a tenancy to which this Order applies by virtue of the foregoing provisions of this paragraph—

- (a) references (however expressed) in this Order to the business of, or to carrying on of business, use or occupation by, the tenant shall be construed as including references to the business of, or to carrying on of business, use or occupation by, the beneficiaries or beneficiary;
- (b) the reference in Article 18(2)(d) to the tenant shall be construed as including the beneficiaries or beneficiary; and
- (c) a change in the persons of the trustees shall not be treated as a change in the person of the tenant.

(2) Where the landlord's estate is held on trust, the references in sub-paragraph (g) of Article 12(1) to the landlord, and the references in sub-paragraph (h) to a person with a controlling interest in the company, shall be construed as including references to the beneficiaries under the trust or any of them; but, except in the case of a trust arising under a will or on the intestacy of any person, the reference in Article 13(4) to the creation of the estate therein mentioned shall be construed as including the creation of the trust.