

SCHEDULES

SCHEDULE 9

Article 77(2).

SAVINGS

1. The repeal by this Order of the Rent Restriction Acts shall not affect the continued operation of those Acts in relation to any mortgage to which those Acts applied which was created before the commencement of this Order.

2. The repeal by this Order of section 3 of the Rent and Mortgage Interest (Restrictions) Act (Northern Ireland) 1932 or section 19 of the Act of 1940 shall not affect the continued operation of that section in relation to—

- (a) an agreement, made before the commencement of this Order, for the sale of a dwelling-house;
- (b) an agreement, made before the commencement of this Order, giving an option to purchase a dwelling-house;
- (c) an agreement, made before the commencement of this Order, to pay periodical instalments for the purpose of the purchase of a dwelling-house.

3. Where—

- (a) before the commencement of this Order, either—
 - (i) a landlord has obtained an order for possession of a dwelling-house on the ground specified in section 5(1)(e) of the Act of 1920 or section 8(1)(e) of the Act of 1940; or
 - (ii) a tenant has given up possession of a dwelling-house upon a representation by the landlord or his agent that the house was required by the landlord for any of the purposes set out in the said section 5(1)(e) or 8(1)(e);
- (b) after the commencement of this Order, it is made to appear to the court that that order was obtained, or the tenant gave up possession, owing to misrepresentation or concealment of material facts,

the repeal by this Order of section 5(6) and (7) of the Act of 1920 shall not prevent the court from exercising any power to order the payment of compensation by the landlord to the former tenant which it could have exercised if this Order had not been made.

4. In this Schedule—

“the Act of 1920” means the Increase of Rent and Mortgage Interest (Restrictions) Act 1920 ;

“the Act of 1940” means the Rent and Mortgage Interest (Restrictions) Act (Northern Ireland) 1940 .

Changes to legislation:

There are currently no known outstanding effects for the Rent (Northern Ireland) Order 1978, SCHEDULE 9.