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STATUTORY INSTRUMENTS

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**1996 No. 725**

**The Business Tenancies (Northern Ireland) Order 1996**

*Continuation, and termination or renewal, of tenancies*

**Continuation of tenancies to which this Order applies until terminated in accordance with this Order**

5.—(1) A tenancy to which this Order applies shall not come to an end unless terminated in accordance with the provisions of this Order; and subject to the following provisions of this Order such a tenancy may be terminated by—

- (a) a notice to determine served by the landlord in accordance with the provisions of Article 6; or
- (b) a request for a new tenancy made by the tenant in accordance with the provisions of Article 7.

(2) Notwithstanding anything in paragraph (1)—

- (a) where a tenancy has been continued by paragraph (1) and at any time thereafter ceases to be a tenancy to which this Order applies, it shall not come to an end by reason only of the cesser, but (without prejudice to its termination in accordance with any terms of the tenancy) it may be terminated by not less than 3 nor more than 6 months' notice in the prescribed form served by the landlord on the tenant;
- (b) where at a time when a tenancy is not one to which this Order applies by reason only that premises comprised in the tenancy are not occupied by the tenant for the purposes of a business, and the immediate landlord serves notice to quit, the operation of the notice shall not be affected by reason that after the service of the notice such premises are occupied by the tenant for the purposes of a business by reason of which the tenancy becomes one to which this Order applies;
- (c) if at any time within 12 months before the date of expiry of a tenancy dependent on the effluxion of time—
  - (i) the immediate landlord serves a notice in the prescribed form on the tenant stating that such landlord requires possession of the premises comprised in such tenancy at the said date of expiry; and
  - (ii) at the date of the service of such notice the tenancy is not one to which this Order applies by reason that premises comprised in the tenancy are not occupied by the tenant for the purposes of a business,

this Order shall not apply to such tenancy, notwithstanding that after the date of service of such notice and before the date of expiry of the tenancy premises comprised in the tenancy are occupied by the tenant for the purposes of a business.