
STATUTORY INSTRUMENTS

2003 No. 412

The Housing (Northern Ireland) Order 2003

PART IV

MISCELLANEOUS AMENDMENTS

CHAPTER III

AMENDMENTS OF THE ORDER OF 1983

Tenancies which are not secure tenancies

134.—(1) Schedule 2 to the Order of 1983 (tenancies which are not secure tenancies) shall be amended as follows.

(2) In paragraph 2 (premises occupied under contract of employment)—

(a) in sub-paragraph (1), at the beginning there shall be inserted “Subject to sub-paragraph (3)”, and

(b) after sub-paragraph (2), there shall be added—

“(3) A tenancy under sub-paragraph (1) shall become a secure tenancy if the landlord notifies the tenant that the tenancy is to be regarded as a secure tenancy.”.

(3) For paragraph 3A, as inserted by paragraph 8 of Schedule 2 to the Order of 1988, there shall be substituted—

“Accommodation for homeless persons

3A. A tenancy granted by the landlord in pursuance of any function of the Executive under Part II of the Housing (Northern Ireland) Order 1988 (housing the homeless) is not a secure tenancy unless the landlord has notified the tenant that the tenancy is to be regarded as a secure tenancy.”.

(4) After paragraph 9 there shall be added the following paragraph—

“Qualifying shorthold tenancies

10.—(1) A tenancy is not a secure tenancy if it is a qualifying shorthold tenancy within the meaning of sub-paragraph (2).

(2) A tenancy which is granted—

(a) after the coming into operation of Article 134 of the Housing (Northern Ireland) Order 2003; and

(b) for a term certain of not less than one year and not more than 5 years,

is a qualifying shorthold tenancy if and so long as—

(i) the estate of the landlord belongs to a registered housing association; and

(ii) the tenancy satisfies such other requirements or conditions as may be prescribed.”.