



# Business Tenancies Act (Northern Ireland) 1964

## 1964 CHAPTER 36

### PART I

#### SECURITY OF TENURE FOR BUSINESS, PROFESSIONAL AND CERTAIN OTHER TENANTS

##### CONTINUATION OF TENANCIES

### **3 Continuation of tenancies to which this Part applies until terminated in accordance with this Part.**

- (1) A tenancy to which this Part applies shall not come to an end unless terminated in accordance with the provisions of this Part; and subject to the following provisions of this Part such a tenancy may be terminated by—
  - (a) a notice to determine served by the landlord in accordance with the provisions of section 4; or
  - (b) a request for a new tenancy made by the tenant in accordance with the provisions of section 5.
- (2) Notwithstanding anything in subsection (1)—
  - (a) where a tenancy has been continued by virtue of subsection (1) and at any time thereafter ceases to be a tenancy to which this Part 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 three nor more than six 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 Part 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

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***Changes to legislation:** There are currently no known outstanding effects for the Business Tenancies Act (Northern Ireland) 1964, Section 3. (See end of Document for details)*

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of a business by reason of which the tenancy becomes one to which this Part applies;

- (c) if at any time within twelve 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 Part applies by reason that premises comprised in the tenancy are not occupied by the tenant for the purposes of a business;

this Part 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.

- (3) For the purposes of this Part “notice to determine” means a notice served by the landlord in accordance with section 4, and “notice to quit” means a notice to end a tenancy served by the immediate landlord in accordance with the provisions (whether express or implied) of that tenancy.

**Changes to legislation:**

There are currently no known outstanding effects for the Business Tenancies Act (Northern Ireland) 1964, Section 3.