
STATUTORY INSTRUMENTS

2006 No. 1459

The Private Tenancies (Northern Ireland) Order 2006

PART II

OBLIGATIONS OF LANDLORDS AND TENANTS

Duration of private tenancies

Tenancies to be for a term certain

13.—(1) Where, on or after the commencement of this Order—

- (a) a private tenancy is granted, and
- (b) the contract of tenancy does not provide that the duration of the tenancy is to be for a term certain,

the tenancy shall take effect for a term certain of 6 months, beginning on the day on which the tenant is entitled to take possession of the dwelling-house.

(2) Nothing in this Article applies to a statutory tenancy.

Length of notice to quit [^{F1}: by landlords]

14.—^{F2}(1) A notice by a landlord to quit a dwelling-house let under a private tenancy is not valid unless—

- (a) it is in the prescribed form and contains the prescribed information, and
- (b) it is given not less than the relevant period before the date on which it is to take effect.]

^{F3}(1A) For the purposes of paragraph (1) the relevant period is—

- (a) 8 weeks, if the tenancy has not been in existence for more than 12 months;
- (b) 4 months, if the tenancy has been in existence for more than 12 months but not for more than 3 years;
- (c) 6 months, if the tenancy has been in existence for more than 3 years but not for more than 8 years; and
- (d) 7 months, if the tenancy has been in existence for more than 8 year

but this is subject to regulations made under paragraph (5).

(2) Paragraph (1) applies whether the private tenancy was granted before or after the commencement of this Order.

(3) The Department may by regulations amend any sub-paragraph of paragraph (1A) so as to provide a different relevant period.

(4) Regulations under paragraph (3) may provide that the relevant period is different in different cases within a particular sub-paragraph of paragraph (1A) described by reference to the period for which the tenancy has been in existence.

(But this is without prejudice to the application of section 17(5) of the Interpretation Act (Northern Ireland) 1954.)

(5) The Department may by regulations provide that, in cases falling within the circumstances set out in paragraph (6), the relevant period for the purposes of paragraph (1) is as prescribed in the regulations.

(6) The circumstances are—

- (a) the tenant is in substantial arrears of rent;
- (b) the tenant, or a member of the tenant's household, has engaged in serious anti-social behaviour in, or in the locality of, the dwelling-house;
- (c) the tenant, or a member of the tenant's household, is convicted of a relevant criminal offence.

(But see paragraph (9) for provision regarding other circumstances.)

(7) Regulations under paragraph (5)—

- (a) may make provision that applies to all cases that fall within a sub-paragraph of paragraph (6) and, for that purpose, may make provision about the meaning of any expression used in that sub-paragraph;
- (b) may make provision that applies to cases of a prescribed description that fall within a sub-paragraph of paragraph (6);
- (c) may provide that the relevant period is different in different cases that fall within a sub-paragraph of paragraph (6) described by reference to the period for which the tenancy has been in existence;
- (d) may make provision about the evidence to be provided to show that a case falls within a sub-paragraph of paragraph (6) or within a prescribed description.

(But sub-paragraphs (a) to (c) are without prejudice to the application of section 17(5) of the Interpretation Act (Northern Ireland) 1954.)

(8) The Department—

- (a) may not make regulations under paragraph (5) that come into operation before the end of the emergency period within the meaning of section 1(2) of the Private Tenancies (Coronavirus Modifications) Act (Northern Ireland) 2020, but
- (b) must make regulations under paragraph (5) that come into operation before the end of the period of 2 years beginning with the date on which this Act receives Royal Assent.

(9) The Department may by regulations amend paragraph (6) so as to add to the list of circumstances set out in it.

(10) Amendments made by virtue of regulations under paragraph (3), and provision made by regulations under paragraph (5), do not apply in relation to a notice to quit given before the date on which the regulations come into operation.]

Textual Amendments

- F1** Words in art. 14 heading added (28.4.2022 for specified purposes) by [Private Tenancies Act \(Northern Ireland\) 2022 \(c. 20\)](#), **ss. 11(5)**, 14(2)(g)(3)-(5) (with s. 11(11))
- F2** [Art. 14\(1\)](#) substituted (28.4.2022 for specified purposes) by [Private Tenancies Act \(Northern Ireland\) 2022 \(c. 20\)](#), **ss. 11(3)**, 14(2)(g)(3)-(5) (with s. 11(11))
- F3** [Art. 14\(1A\)-\(10\)](#) substituted for [art. 14\(1A\)\(2\)](#) (28.4.2022 for specified purposes) by [Private Tenancies Act \(Northern Ireland\) 2022 \(c. 20\)](#), **ss. 11(4)**, 14(2)(g)(3)-(6) (with s. 11(11))

Modifications etc. (not altering text)

- C1** Art. 14 applied (with modifications) (28.4.2022 for specified purposes) by [Private Tenancies Act \(Northern Ireland\) 2022 \(c. 20\)](#), **ss. 11(10)**, 14(2)(g)(3)-(5) (with s. 11(11))
- C2** Art. 14(1) applied (with modifications) (28.4.2022 for specified purposes) by [Private Tenancies Act \(Northern Ireland\) 2022 \(c. 20\)](#), **ss. 11(9)**, 14(2)(g)(3)-(5) (with s. 11(11))

[^{F4}Length of notice to quit: by tenants

14A.—(1) A notice by a tenant to quit a dwelling-house let under a private tenancy is not valid unless—

- (a) it is given in writing, and
- (b) it is given not less than the relevant period before the date on which it is to take effect.
- (2) For the purposes of paragraph (1) the relevant period is—
- (a) 4 weeks, if the tenancy has not been in existence for more than 10 years;
- (b) 12 weeks, if the tenancy has been in existence for more than 10 years.
- (3) Paragraph (1) applies regardless of the date on which the private tenancy was granted.

(4) The Department may by regulations amend paragraph (2) so as to provide that, in relation to a tenancy in existence for more than 12 months but not more than 10 years, the relevant period is a period that is more than 4 weeks but not more than 12 weeks.

(5) Regulations under paragraph (4) may provide that the relevant period is different in different cases within that paragraph described by reference to the period for which the tenancy has been in existence.

(But this is without prejudice to the application of section 17(5) of the Interpretation Act (Northern Ireland) 1954.)

(6) Any amendment made by virtue of regulations under paragraph (4) does not apply in relation to a notice to quit given before the date on which the amendment comes into operation.]

Textual Amendments

- F4** Art. 14A inserted (28.4.2022 for specified purposes) by [Private Tenancies Act \(Northern Ireland\) 2022 \(c. 20\)](#), **ss. 11(6)**, 14(2)(g)(3)-(5) (with s. 11(11))

Changes to legislation:

There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006, Cross Heading: Duration of private tenancies.