

These notes refer to the Private Tenancies (Coronavirus Modifications) Act (Northern Ireland) 2020 (c.2) which received Royal Assent on 4 May 2020

Private Tenancies (Coronavirus Modifications) Act (Northern Ireland) 2020

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Notice to Quit: private tenancies

10. This section allows for modification during the emergency period of Article 14 of 2006 Order. Section 1(3) means the Department has discretion to specify a shorter or longer period for the end of the emergency period. This period may be extended up to 2 years beginning with the day after the day on which this Act receives Royal Assent or shortened to a period specified by the Department, subject to negative resolution.

Section 2: Power to alter notice period

11. This section has a provision to alter the notice to quit period of 12 weeks during the emergency period by way of regulations by negative resolution. If the Department chose to extend the period exceptions will be made for landlords who need to live in their own property and cases of anti-social behaviour. This section also provides the Department with the power to define the exceptions and level of proof needed in any future regulations made. The 12 week notice period can only be increased to a maximum period of 6 months.

Section 3: Power to make further provision

12. This section enables transitional, transitory, saving and consequential provisions to be made. The latter is in case any statutory provision needs to be modified. This will be done by negative resolution unless NI primary legislation is to be modified, in which case the procedure will be draft affirmative.

Section 4: Interpretation

13. Defines the Department responsible for the Act and the meaning of the emergency period.

Section 5: Commencement

14. This defines that the Act comes into operation on the day after the day it receives Royal assent and ensures no retrospectivity occurs.

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Section 6: Short Title

15. This cites the new law as the Private Tenancies (Coronavirus Modifications) Act (Northern Ireland) 2020