
STATUTORY INSTRUMENTS

1975 No. 1039

Defective Premises (Northern Ireland) Order 1975

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“the Department” means the Department of Housing, Local Government and Planning^{F1};

“disposal”, in relation to premises, includes a letting, a grant in fee farm, and an assignment or surrender of a tenancy, of the premises and the creation by contract of any other right to occupy the premises;

“statutory provision” has the meaning assigned to it by section 1(*f*) of the Interpretation Act (Northern Ireland) 1954;

“tenancy” means—

- (a) a tenancy created either immediately or derivatively out of the freehold, whether by a lease or underlease, by an agreement for a lease or underlease or by a tenancy agreement, but not including a mortgage term or any interest arising in favour of a mortgagor by his attorning tenant to his mortgagee; or
- (b) a tenancy at will or a tenancy on sufferance; or
- (c) a tenancy, whether or not constituting a tenancy at common law, created by or in pursuance of any statutory provision.

(3) Any duty imposed by or enforceable by virtue of any provision of this Order is in addition to any duty a person may owe apart from that provision.

(4) Any term of an agreement which purports to exclude or restrict, or has the effect of excluding or restricting, the operation of any of the provisions of this Order, or any liability arising by virtue of any such provision, shall be void.

<p>F1 functions transf. to D/Env., 1976 NI 6</p>

Changes to legislation:

There are currently no known outstanding effects for the Defective Premises (Northern Ireland) Order 1975, Section 2.