
STATUTORY INSTRUMENTS

1996 No. 725

The Business Tenancies (Northern Ireland) Order 1996

Application to the Lands Tribunal

Duration of new tenancy

17.—(1) Where the Lands Tribunal makes an order for the grant of a new tenancy, the new tenancy shall be—

- (a) a tenancy for such period as may be agreed between the landlord and tenant; or
- (b) in the absence of agreement, a tenancy for such period, not exceeding 15 years, as may be determined by the Lands Tribunal to be reasonable in all the circumstances,

and shall begin on the coming to an end of the current tenancy.

(2) Where the period for which in accordance with this Order it is agreed or determined by the Lands Tribunal that a new tenancy should be granted thereunder will extend beyond the date on which the estate of the immediate landlord will come to an end, then subject to paragraph (3), the power of the Lands Tribunal under this Order to order such a grant shall include power to order the grant of a new tenancy until the expiration of that estate and, subject to the following provisions of this Article, to order the grant of such a reversionary tenancy or reversionary tenancies as may be required to secure that the combined effects of those grants will be equivalent to the grant of a tenancy for that period; and the provisions of this Order shall, subject to the necessary modifications, apply to the grant of a tenancy together with one or more reversionary tenancies as they apply in relation to the grant of one new tenancy.

(3) The Lands Tribunal shall not under paragraph (2) grant a reversionary tenancy unless the tenant has, within such time as may be specified in Lands Tribunal Rules, served notice of his application for a new tenancy on any person, other than the landlord, having a reversionary estate which would be affected by the grant of the reversionary tenancy.

(4) Any person having a reversionary estate which is likely to be affected by the grant of a reversionary tenancy (including any terms or conditions attached to such grant) may in accordance with Lands Tribunal Rules apply to the Lands Tribunal to be made a party to the proceedings and, on such application being granted, may oppose the grant of the reversionary tenancy on any grounds which appear to the Lands Tribunal to be relevant and shall be bound by the proceedings.