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STATUTORY INSTRUMENTS

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**1996 No. 725 (N.I. 5)**

**The Business Tenancies (Northern Ireland) Order 1996**

- - - - 13th March 1996

**THE BUSINESS TENANCIES (NORTHERN IRELAND) ORDER 1996**

Introductory Title and commencement (1) This Order may be cited as the Business Tenancies...

*Introductory*

1. Title and commencement
2. Interpretation

*Application of the Order*

3. Tenancies to which this Order applies
4. Tenancies to which this Order does not apply

*Continuation, and termination or renewal, of tenancies*

5. Continuation of tenancies to which this Order applies until terminated in accordance with this Order
6. Termination of tenancy by the landlord
7. Request by tenant for a new tenancy
8. Further provisions for the termination of tenancies to which this Order applies
9. Agreements for future tenancies

*Application to the Lands Tribunal*

10. Tenancy application by landlord or tenant
11. Interim continuation of tenancies pending determination by the Lands Tribunal
12. Opposition by landlord to new tenancy
13. Provisions supplemental to Article 12
14. Consequences where landlord successfully opposes
15. Power of Lands Tribunal to order the grant of a new tenancy
16. Property to be comprised in new tenancy
17. Duration of new tenancy
18. Rent under new tenancy
19. Other terms of new tenancy

**Changes to legislation:** The Business Tenancies (Northern Ireland) Order 1996 is up to date with all changes known to be in force on or before 24 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

20. Carrying out of order for new tenancy
21. Compensation for landlord where tenant withdraws, etc., application or rejects new tenancy
22. Powers of Lands Tribunal where landlord cannot be found or is under a disability
23. Compensation where order for new tenancy is opposed on certain grounds

*Miscellaneous provisions about tenancies*

24. Restrictions on agreements excluding provisions of this Order
25. Agreements to surrender tenancies
26. Restrictions on alienation or improvements

*Supplemental*

27. Compensation for misrepresentation etc., or landlord's failure to fulfil intentions
28. Penalties for fraud or the wilful concealment of material facts
29. Duty of tenants and landlords of business premises to give information to each other
30. Trusts
31. Groups of companies
32. Partnerships
33. Provisions as to reversions
34. Provision as to overholding
35. Mesne landlords
36. Mortgagees in possession
37. Determination of tenancies of derelict land
38. Application of capital money under the Settled Land Acts
39. Protection of landlords in fiduciary capacities
40. Provisions as to notices
41. Service of notices, etc.
42. Enforcement of orders of Lands Tribunal
43. The Crown
44. Transitional provisions and savings, amendments and repeals

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SCHEDULES

SCHEDULE 1 — PROVISIONS FOR THE PURPOSES OF THIS ORDER WHERE SEVERAL PERSONS STAND IN RELATION OF LANDLORD AND TENANT

— Definitions (1) In this Schedule the following expressions have the meanings hereby assigned to them...

*Definitions*

1. In this Schedule the following expressions have the meanings hereby assigned to them in relation...

*Acts of competent landlords binding on other landlords*

2. (1) Any notice to determine served by the competent landlord under this Order to terminate...

*Provisions as to consent of mesne landlord to acts of competent landlord*

3. (1) If the competent landlord, not being the immediate landlord, serves any such notice or...

*Consent of superior landlord required for agreements affecting his interest*

4. An agreement between the competent landlord and the tenant made for the purposes of this...

SCHEDULE 2 — TRANSITIONAL PROVISIONS AND SAVINGS

— Interpretation (1) In this Schedule— “the Act of 1964” means the Business Tenancies Act (Northern...

*Interpretation*

1. In this Schedule— “the Act of 1964” means the Business Tenancies Act (Northern Ireland) 1964;...

*Transitional provisions*

2. Where before the commencement a tenancy was terminated by the fall of a life or...
3. Where, before the commencement,— (a) the landlord served a notice to determine under section 4...
4. For the purposes of this Order, a notice served by the tenant under section 6...
5. For the purposes of Article 23 the qualifying period may include a period beginning before...
6. Where, before the commencement, an agreement had been made to which subsection (3) of section...
7. Articles 2.5 and 26 shall apply only to tenancies entered into after the commencement.
8. Article 27(2) shall not have effect where the tenant quit the holding before the commencement.
9. Nothing in Article 29 shall apply to a notice under section 23 of the Act...
10. (1) Notwithstanding the repeal by this Order of the Act of 1964, a claim for...

*Savings*

11. Nothing in the Act of 1964 or this Order affects any right that any person...
12. Nothing in this Order affects the operation of the Planning Act (Northern Ireland) 2011 .

**Changes to legislation:** *The Business Tenancies (Northern Ireland) Order 1996 is up to date with all changes known to be in force on or before 24 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

— Schedule 3—Amendments

— Schedule 4—Repeals

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- art.13 excl. by [1999 c. 11 s.15\(2\)\(c\)](#) (amending (NI) 1999 c.iv. [s.13](#))
- art. 42(1) word inserted by [2022 c. 46 s. 64\(3\)](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 18(6) inserted by [2022 c. 46 s. 62\(2\)](#)
- art. 18A inserted by [2022 c. 46 s. 62\(3\)](#)
- art. 18B18C inserted by [2022 c. 46 s. 64\(2\)](#)