
STATUTORY INSTRUMENTS

2006 No. 1459

The Private Tenancies (Northern Ireland) Order 2006

PART I

INTRODUCTORY

Title and commencement

- 1.—(1) This Order may be cited as the Private Tenancies (Northern Ireland) Order 2006.
- (2) This Article and Article 2 shall come into operation on the expiration of 7 days from the day on which this Order is made.
- (3) The other provisions of this Order shall come into operation on such day or days as the Department may by order appoint.

Subordinate Legislation Made

- P1 [Art. 1\(3\)](#) power fully exercised: different dates appointed for specified provisions by [S.R. 2006/428](#), [arts. 2, 3](#)

General interpretation

- 2.—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) shall apply to Article 1 and the following provisions of this Order as it applies to an Act of the Assembly.
- (2) In this Order—
- “the appropriate district council”, in relation to a dwelling-house, means the district council in whose district the dwelling-house is situated;
 - “commencement of this Order” means the date on which the provision of this Order in which that expression occurs comes into operation;
 - “the Department” means the Department for Social Development;
 - “dwelling-house” includes part of a house;
 - “the Executive” means the Northern Ireland Housing Executive;
 - “final determination”, in relation to an appeal, shall be construed in accordance with Article 23(3) and (4);
 - “the landlord” includes any person from time to time deriving title under the original landlord and also includes, in relation to any dwelling-house, any person other than the tenant who is, or but for Part III of the Rent Order would be, entitled to possession of the dwelling-house;
 - “let” includes sub-let;
 - “modify” includes amend or repeal;
 - “prescribed” means prescribed by regulations made by the Department;

- “private tenancy” has the meaning given in Article 3;
- “protected tenancy” shall be construed in accordance with Article 3 of the Rent Order;
- “rates” means the regional rate and the district rate;
- “rent” does not include any sum payable on account of rates;
- “the rent officer” means the person appointed under Schedule 1 to act as rent officer;
- “the Rent Order” means the Rent (Northern Ireland) Order 1978 (NI 20);
- “statutory provision” has the meaning given in section 1(f) of the Interpretation Act (Northern Ireland) 1954;
- “statutory tenancy” shall be construed in accordance with Article 4(5) of the Rent Order;
- “tenancy” includes, except where the context otherwise requires, a statutory tenancy;
- “tenant” includes, except where the context otherwise requires, a statutory tenant and also includes a sub-tenant and any person deriving title under the original tenant or sub-tenant.

Meaning of “private tenancy”

- 3.—(1) In this Order “private tenancy”–
- (a) means any tenancy of a dwelling-house except–
 - (i) a fee farm grant, or
 - (ii) any of the tenancies described in paragraph (2); and
 - (b) includes, except where the context otherwise requires, a protected tenancy and a statutory tenancy.
- (2) Those tenancies are–
- (a) a tenancy for a term certain exceeding 99 years, unless that tenancy is, or may become, terminable before the end of that term by notice given to the tenant;
 - (b) a tenancy under which the estate of the landlord belongs to–
 - (i) the Crown (whether in right of Her Majesty's Government in the United Kingdom or in Northern Ireland);
 - (ii) a government department;
 - (iii) the Executive;
 - (iv) a registered housing association;or is held in trust for Her Majesty for the purposes of a government department; and
 - (c) a tenancy the purpose of which is to confer on the tenant the right to occupy a dwelling-house for a holiday.
- (3) In paragraph (2)(b)–
- (a) “government department” includes a department of the government of the United Kingdom; and
 - (b) “registered”, in relation to a housing association, means registered in the register maintained under Part II of the Housing (Northern Ireland) Order 1992 (NI 15).

Changes to legislation:

There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006, PART I.