STATUTORY RULES OF NORTHERN IRELAND

1997 No. 72

BUSINESS TENANCIES

The Business Tenancies (Notices) Regulations (Northern Ireland) 1997

Made - - - - 20th February 1997

Coming into operation 1st April 1997

The Department of Finance and Personnel, in exercise of the powers conferred on it by Article 40(1) of the Business Tenancies (Northern Ireland) Order 1996(**1**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Business Tenancies (Notices) Regulations (Northern Ireland) 1997 and shall come into operation on 1st April 1997.

Interpretation

2. In these Regulations—

"the Order" means the Business Tenancies (Northern Ireland) Order 1996;

a form referred to by number means the form so numbered in the Schedule.

Forms of notice

3. The forms of notice set out in the Schedule shall be used as follows—

(a) a notice served under Article 5(2)(*a*) of the Order by the landlord, being a notice terminating a tenancy which has been continued by Article 5(1) and has subsequently ceased to be a tenancy to which the Order applies, shall be in Form 1;

(b) a notice served under Article 5(2)(*c*) of the Order by the immediate landlord, being a notice requiring possession at the date of expiry of a tenancy dependent on the effluxion of time, shall be in Form 2;

(c) a notice served under Article 6 of the Order, being the landlord's notice to determine a tenancy to which the Order applies, shall be in Form 3;

(**1**) S.I. 1996/725 (N.I. 5)

(d) a notice served under Article 7 of the Order, being a tenant's request for a new tenancy, shall be in Form 4;

(e) a notice served under Article 29 of the Order, being a notice for particulars, shall be in Form 5.

Revocation of Business Tenancies (Notices) Regulations (Northern Ireland) 1964

4. The Business Tenancies (Notices) Regulations (Northern Ireland) 1964(**2**) are hereby revoked.

Sealed with the Official Seal of the Department of Finance and Personnel on

L.S.

James McKeown
Assistant Secretary

20th February 1997.

(**2**) S.R. & O (N.I.) 1964 No. 215

SCHEDULE

Regulation 3

Forms

FORM 1BUSINESS TENANCIES (NORTHERN IRELAND) ORDER 1996(S.I. 1996/725 (N.I. 5)) ("THE ORDER")**Landlord's Notice under Article 5(2)(a) terminating Tenancy which has ceased to be a Tenancy to which the Order applies**

Name and address of tenant: .....

Premises situate at and known as:.....

Name and address of landlord: .....

I/We hereby **GIVE YOU NOTICE TERMINATING YOUR TENANCY** of the above-mentioned premises **ON THE DAY OF 19/20 .**

I/we draw your attention to the note at the end of this Notice. You should seek professional advice on this Notice as soon as possible.

Signed.....(Landlord/Agent of landlord)

Date .....

Important Note to Tenant

Article 5(2) of the Business Tenancies (Northern Ireland) Order 1996 provides that a tenancy continued by Article 5(1) of the Order which at any time thereafter ceases to be a tenancy to which the Order applies may (without prejudice to its termination in accordance with any of the terms of the tenancy) be terminated by not less than 3 nor more than 6 months' notice in the prescribed form served by the landlord on the tenant.

FORM 2BUSINESS TENANCIES (NORTHERN IRELAND) ORDER 1996(S.I. 1996/725 (N.I. 5)) ("THE ORDER")**Landlord's Notice under Article 5(2)(c) of the Order to Tenant of Tenancy to which the Order does not apply requiring possession at the end of the Tenancy**

Name and address of tenant: .....

Premises situate at and known as: .....

.....

Name and address of the immediate landlord: .....

.....

I/We hereby **GIVE YOU NOTICE OF THAT I/WE REQUIRE POSSESSION** of the above-mentioned premises **ON THE DAY OF 19/20** . on which date your tenancy is due to expire.

I/WE DRAW YOUR ATTENTION TO THE NOTE AT THE END OF THIS NOTICE. YOU SHOULD SEEK PROFESSIONAL ADVICE ON THIS NOTICE AS SOON AS POSSIBLE.

[This notice is served under Article 5(2)(*c*) of the Business Tenancies (Northern Ireland) Order 1996.]

I

Signed.....(Immediate landlord/Agent of the immediate landlord)

Date.....

Important Note to Tenant

Article 5(2)(*c*) of the Business Tenancies (Northern Ireland) Order 1996 (S.I. 1996/725 (N.I. 5)) ("the Order") provides that if within 12 months before the date of expiry of a tenancy dependent upon the effluxion of time (that is, a tenancy with a fixed term) the immediate landlord serves a notice in the prescribed form (that is, a notice like this notice) on the tenant stating that such landlord requires possession of the premises at the date of expiry and the notice is served at a time when the premises are not occupied by the tenant for the purposes of a business then the Order shall not apply to that tenancy — even if after the date of service of this notice and before the date of expiry of the tenancy the premises are occupied by the tenant for the purposes of a business.

FORM 3BUSINESS TENANCIES (NORTHERN IRELAND) ORDER 1996(S.I. 1996/725 (N.I. 5)) ("THE ORDER")**Landlord's Notice to Determine Business Tenancy under Article 6 of the Order**