
STATUTORY INSTRUMENTS

1978 No. 1050

Rent (Northern Ireland) Order 1978

PART II

[^{F1} PROTECTED AND STATUTORY TENANCIES]

Protected tenancies

- 3.—^{F1}(1) A tenancy of a dwelling-house is a protected tenancy for the purposes of this Order if—
- (a) the Rent Restriction Acts applied to the dwelling-house immediately before the commencement of this Order (1st October 1978), and
 - (b) the dwelling-house was, immediately after that commencement, let under that tenancy as a separate dwelling.

- (1A) A tenancy of a dwelling-house is a protected tenancy for the purposes of this Order if—
- (a) paragraph (2) applies to the dwelling-house, and
 - (b) the dwelling-house was, immediately before the commencement of Article 56 of the Private Tenancies (Northern Ireland) Order 2006, let under that tenancy as a separate dwelling.]

^{F2}(2) This paragraph applies to a dwelling-house let by an unregistered housing association if, immediately before the commencement of Part V of the Housing (Northern Ireland) Order 1983, this Order applied to such a dwelling-house, or would have so applied if the landlord had not been an unregistered housing association.

(2A) In paragraph (2) “unregistered housing association” means a housing association, as defined in^{F3} Article 3 of the Housing (Northern Ireland) Order 1992 which is not registered under Article 14 of that Order].]

^{F4}(2B) A tenancy of a dwelling-house is a protected tenancy for the purposes of this Order if, immediately before the commencement of Article 56 of the Private Tenancies (Northern Ireland) Order 2006, that tenancy was a protected tenancy by virtue of Article 5 of this Order.]

(3) If any question arises in any proceedings whether the Rent Restriction Acts applied to a dwelling-house immediately before the commencement of this Order, it shall be deemed to be a dwelling-house to which those Acts applied unless the contrary is shown.

^{F5}(3A) For the purposes of this Article, a dwelling-house may be a house or part of a house.]

(4) In this Order “protected tenancy” does not include a fee farm grant or a tenancy granted for a term certain exceeding ninety-nine years, unless that tenancy is, or may become, terminable before the end of that term by notice given to the tenant.

F1 [Art. 3\(1\)\(1A\)](#) substituted (1.4.2007) for art. 3(1) by [Private Tenancies \(Northern Ireland\) Order 2006](#) (S.I. 2006/1459 (N.I. 10)), arts. 1(3), [56\(2\)](#); S.R. 2006/428, [art. 3\(b\)](#)

F2 [1983 NI 15](#)

F3 [1992 NI 15](#)

Changes to legislation: *There are currently no known outstanding effects for the Rent (Northern Ireland) Order 1978, Section 3. (See end of Document for details)*

- F4** Art. 3(2B) inserted (1.4.2007) by Private Tenancies (Northern Ireland) Order 2006 (S.I. 2006/1459 (N.I. 10)), arts. 1(3), **56(3)**; S.R. 2006/428, **art. 3(b)**
- F5** Art. 3(3A) inserted (1.4.2007) by Private Tenancies (Northern Ireland) Order 2006 (S.I. 2006/1459 (N.I. 10)), arts. 1(3), **56(4)**; S.R. 2006/428, **art. 3(b)**

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