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STATUTORY INSTRUMENTS

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**1996 No. 725**

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

*Application to the Lands Tribunal*

**Interim continuation of tenancies pending determination by the Lands Tribunal**

**11.—**(1) In any case where—

- (a) a notice to determine a tenancy has been served under Article 6 or a request for a new tenancy made under Article 7; and
- (b) a tenancy application has been made; and
- (c) but for this Article the effect of that notice or request would be to terminate the tenancy before the expiration of the period of 3 months beginning with the date on which the tenancy application is finally disposed of,

the effect of the notice or request shall be to terminate the tenancy either at such date as the Lands Tribunal may by order direct or at the expiration of the said period of 3 months and not at any other time.

(2) The reference in paragraph (1)(c) to the date on which an application is finally disposed of shall be construed as a reference to the earliest date by which the proceedings on the application (including any proceedings on or in consequence of an appeal) have been determined and any time for appealing or further appealing has expired, except that if the application is withdrawn or any appeal is abandoned the reference shall be construed as a reference to the date of the withdrawal or abandonment.

(3) Where the term of a tenancy is extended in consequence of the operation of paragraph (1), the Lands Tribunal may by order—

- (a) vary the rent payable under the tenancy to such amount, effective from such date (including a date then past), and
- (b) direct that interest shall be payable on rent in arrear (including rent in arrear by virtue of a variation under sub-paragraph (a)), at such rate,

as the Lands Tribunal considers proper in all the circumstances.

(4) Where the Lands Tribunal, under paragraph (3), orders a variation of rent by way of increase from a date then past, it shall order the payment of—

- (a) the sum of any arrears of rent created by virtue of that variation; or
- (b) where it also directs that interest shall be payable on rent in arrear, the sum of any arrears so created and interest on such arrears.

(5) None of the provisions of the Rent (Northern Ireland) Order 1978 shall operate to limit or affect the amount of the rent which may be fixed by the Lands Tribunal under paragraph (3).

**Changes to legislation:**

The Business Tenancies (Northern Ireland) Order 1996, Section 11 is up to date with all changes known to be in force on or before 02 January 2024. 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.

[View outstanding changes](#)

**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\(2\)](#)