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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*

**Property to be comprised in new tenancy**

**16.**—(1) Subject to paragraph (2), an order under Article 15 for the grant of a new tenancy shall be an order for the grant of a new tenancy of the holding; and in the absence of agreement between the landlord and the tenant as to the property which constitutes the holding the Lands Tribunal shall in the order designate that property by reference to the circumstances existing at the date of the order.

(2) Where the property comprised in the current tenancy includes other property besides the holding and the landlord requires any new tenancy ordered to be granted under Article 15 to be a tenancy of the whole of the property comprised in the current tenancy, the Lands Tribunal shall make an order for the grant of a new tenancy of the whole of the property comprised in the current tenancy; and in any such case references in the succeeding provisions of this Order to the holding shall be construed as references to the whole of that property.

(3) Where the current tenancy includes rights enjoyed by the tenant in connection with the holding, those rights shall, unless the parties otherwise agree or the Lands Tribunal otherwise directs, be included in a tenancy ordered to be granted under Article 15.

**Changes to legislation:**

The Business Tenancies (Northern Ireland) Order 1996, Section 16 is up to date with all changes known to be in force on or before 20 October 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.

[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\(2\)](#)