
STATUTORY INSTRUMENTS

1996 No. 725

The Business Tenancies (Northern Ireland) Order 1996

Supplemental

Duty of tenants and landlords of business premises to give information to each other

29.—(1) Any person having an estate in any business premises, being an estate in reversion expectant (whether immediate or not) on a tenancy of those premises, may serve on the tenant under such tenancy a notice for particulars.

(2) A tenant of business premises, being a tenant under such a tenancy as is mentioned in Article 7(1), may serve a notice for particulars on all or any of the following persons—

- (a) his immediate landlord or the person to whom he pays the rent in respect of the premises comprised in the tenancy;
- (b) any person whom the tenant reasonably believes to be a superior landlord or the agent of a superior landlord;
- (c) any person whom the tenant reasonably believes may be a mortgagee in possession of an estate in the premises superior to the tenant's estate.

(3) For the purposes of this Article a notice for particulars is a notice in the prescribed form requiring the person on whom the notice is served to furnish to the person by whom the notice is served such information as, in all the circumstances, it is reasonable for the second-mentioned person to demand and as is specified in the notice.

(4) Any notice for particulars served by a landlord or a tenant must be served before the service of, respectively, a notice to determine or a request for a new tenancy.

(5) It shall be the duty of any person on whom a notice for particulars is served under this Article to furnish in writing within one month after the service of such notice to the person by whom such notice was so served, the information asked for by such notice so far as it is within the possession or procurement of such person.

(6) Where a notice for particulars is served under this Article and the person on whom such notice is so served (“the defaulter”) fails or neglects to furnish in writing, within the time limited by this Article, the information he is required by the notice to furnish, or furnishes information which is incomplete, inaccurate or misleading in any material respect, the person by whom the notice was served may apply to the Lands Tribunal, which may—

- (a) make such order as it thinks necessary with a view to compelling the defaulter so to furnish such information as the Lands Tribunal considers proper;
- (b) in the event of the defaulter not complying with an order under sub-paragraph (a), order the defaulter to pay to the person by whom the notice was served such sum as appears sufficient as compensation for damage or loss sustained by that person as the result of the defaulter's breach of the duty imposed on him by paragraph (5).

(7) In the case of a tenancy granted for a term certain the foregoing provisions of this Article shall not apply to a notice served by or on the tenant more than 2 years before the date on which but

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for this Order his tenancy would come to an end by effluxion of time or could be brought to an end by notice to quit served by the immediate landlord.

(8) In this Article—

“business premises” means premises used wholly or partly for the purposes of a business;

“mortgagee in possession” includes a receiver, appointed by the mortgagee or by a court of competent jurisdiction, who is in receipt of the rents and profits;

“superior landlord” means a person whose estate is superior to the estate of the immediate landlord.

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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\(2\)](#)