
STATUTORY INSTRUMENTS

1996 No. 725

The Business Tenancies (Northern Ireland) Order 1996

Application of the Order

Tenancies to which this Order applies

3.—(1) Subject to the provisions of this Order, this Order applies to any tenancy where the property comprised in the tenancy is or includes premises which are occupied by the tenant and are so occupied for the purposes of a business carried on by the tenant, or for those and other purposes.

(2) Occupation or the carrying on of a business—

(a) by a company in which the tenant has a controlling interest; or

(b) where the tenant is a company, by a person with a controlling interest in the company,

shall be treated for the purposes of this Article as equivalent to occupation or, as the case may be, the carrying on of a business by the tenant; and in relation to a tenancy to which this Order applies by virtue of this paragraph references (however expressed) in this Order to the business of or to use, occupation or enjoyment by the tenant shall be construed as including references to the business of or to use, occupation or enjoyment by a company falling within sub-paragraph (a) or a person falling within sub-paragraph (b).

(3) For the purposes of this Order, premises shall not be deemed to be occupied for the purposes of a business by reason that the occupier thereof carries on the business of subletting the premises or parts of the premises, whether or not the provision of any services is undertaken in connection with such subletting.

Changes to legislation:

The Business Tenancies (Northern Ireland) Order 1996, Section 3 is up to date with all changes known to be in force on or before 09 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\(2\)](#)