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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 461 (C. 34)**

**PROPERTY**

**The Property (1997 Order) (Commencement No. 2) Order  
(Northern Ireland) 1999**

*Made . . . . . 4th November 1999*

The Department of Finance and Personnel, in exercise of the powers conferred on it by Article 1(2) of the Property (Northern Ireland) Order 1997<sup>(a)</sup> and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974<sup>(b)</sup> and of every other power enabling it in that behalf, hereby makes the following Order:

*Citation and interpretation*

**1.**—(1) This Order may be cited as the Property (1997 Order) (Commencement No. 2) Order (Northern Ireland) 1999.

(2) In this Order, “the Order” means the Property (Northern Ireland) Order 1997.

*Appointed day*

**2.** The day appointed for the coming into operation of the provisions of the Order specified in the Schedule is 10th January 2000.

Sealed with the Official Seal of the Department of Finance and Personnel  
on 4th November 1999.

(L.S.)

*Judena Goldring*  
Assistant Secretary

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<sup>(a)</sup> S.I. 1997/1179 (N.I. 8)  
<sup>(b)</sup> 1974 c. 28

**Provisions coming into operation on 10th January 2000**

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 7(7) and (8) for the purpose only of interpreting the word "flat" in Article 30(5) of the Order	Meaning of "flat"
Article 28	Fee farm rents
Article 29	Rentcharges
Article 30	Long leases of dwelling-houses
Article 34	Running of freehold covenants
Article 36	Perpetually renewable leases
Article 37	Leases for lives, etc.
Article 38	Repeal of statutory provisions relating to agricultural tenancies
Article 39(2) to (4)	Avoidance of certain powers
Article 40	Mental patients
Article 41 in so far as it applies to notices permitted under Part III of the Order to be served on a lessor	Service of documents
Article 42(4)(h) to (j) and (7) and Article 42(1) to (3) and (8) to (10) in so far as it relates to the matters mentioned in Article 42(4)(h) to (j)	Disputes
Article 43 in so far as it applies to documents made, served or lodged under Part III or IV of the Order	Offences
Article 44 in so far as it applies to misstatements made in documents made, served or lodged under Part III or IV of the Order	Civil remedy for misstatement
Article 45 in so far as applies in the event of a breach, or, in the case of proceedings for an injunction, an anticipated or threatened breach, of a covenant to which Article 34 of the Order applies	Enforcement of covenants

<i>Provisions of the Order</i>	<i>Subject Matter</i>
Article 47	Application to the Crown
Schedule 2	Consequences of conversion of perpetually renewable leases
Schedule 3	Conversion of leases for lives, etc., and of certain agreements for such leases
Article 53(1) and Schedule 4 with the exception of paragraph 2 of Schedule 4	Amendments
Article 53(2) and Schedule 5 with the exception of the following repeals in Schedule 5— The Chief Rents Redemption (Ireland) Act 1864 section 65 of the Conveyancing Act 1881 section 11 of the Conveyancing Act 1882	Repeals

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order brings into operation the following provisions of the Property (Northern Ireland) Order 1997 (“the Order”) on 10th January 2000—

Article 7(7) and (8) for the purpose only of interpreting the word “flat” in Article 30(5) of the Order;

Article 28 (Fee farm rents);

Article 29 (Rentcharges);

Article 30 (Long leases on dwelling-houses);

Article 34 (Running of freehold covenants);

Article 36 (Perpetually renewable leases) and Schedule 2 (Consequences of conversion of perpetually renewable leases);

Article 37 (Leases for lives, etc.) and Schedule 3 (Conversion of leases for lives, etc. and of certain agreements for such leases);

Article 38 (Repeal of statutory provisions relating to agricultural tenancies);

Article 39(2) to (4) (Avoidance of certain powers);

Article 40 (Mental patients);

Article 41 (Service of documents) in so far as it applies to notices permitted under Part III of the Order to be served on a lessor;

Article 42(4)(h) to (j) and (7) and Article 42(1) to (3) and (8) to (10) in so far as it relates to the matters mentioned in Article 42(4)(h) to (j) (Disputes);

Article 43 (Offences) in so far as it applies to documents made, served or lodged under Part III or IV of the Order;

Article 44 (Civil remedy for misstatement) in so far as it applies to misstatements made in documents made, served or lodged under Part III or IV of the Order;

Article 45 (Enforcement of covenants) in so far as applies in the event of a breach, or in the case of proceedings for an injunction, an anticipated or threatened breach, of a covenant to which Article 34 of the Order applies;

Article 47 (Application to the Crown);

Article 53(1) and Schedule 4 (Amendments) except paragraph 2 of that Schedule; and

Article 53(2) and Schedule 5 (Repeals) except the following repeals in that Schedule—

The Chief Rents Redemption  
(Ireland) Act 1864

section 65 of the Conveyancing  
Act 1881

section 11 of the Conveyancing  
Act 1882

## EARLIER COMMENCEMENT ORDER

*(This note is not part of this Order.)*

The following provisions of the Property (Northern Ireland) Order 1997 (“the Order”) were brought into operation on 1st September 1997 by the Property (1997 Order) (Commencement No. 1) Order (Northern Ireland) 1997 (S.R. 1997 No. 328 (C. 19)), that is to say—

Part I (Introductory);

Article 31 (Avoidance of provisions for increase or review of ground rent);

Article 39(1) (Avoidance of provisions in agreements modifying Part II and Part III of the Order except where express provision in the Order allowing modification);

Article 46 (Fees and rules);

Articles 48 to 50 (Co-ownership);

Article 51 (Amendment to the Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971 as to the National Trust); and

Article 52 (Compensation for compulsory acquisition; land subject to tenancy).

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