

Private Tenancies (Coronavirus Modifications) Bill

[AS INTRODUCED]

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BILL

TO

Make emergency modifications in connection with coronavirus in relation to notices to quit to be given by landlords of private tenancies.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Notice to quit: private tenancies

1.—(1) During the emergency period, Article 14 of the Private Tenancies (Northern Ireland) Order 2006 (length of notice to quit) has effect in relation to a notice to quit given by a landlord as if—

5 (a) in paragraph (1), for “the relevant period” there were substituted “12 weeks”, and

(b) paragraph (1A) were omitted.

(2) In subsection (1), “the emergency period” means the period—

10 (a) beginning with the day after the day on which this Act receives Royal Assent, and

(b) ending with 30 September 2020.

(3) The Department may by regulations amend the date specified in subsection (2)(b) to another specified date.

15 (4) The power in subsection (3) may be exercised on more than one occasion so as to further amend the date.

(5) Any amendment of the date specified in subsection (2)(b) cannot result in the emergency period ending later than—

(a) 2 years beginning with the day after the day on which this Act receives Royal Assent, or

20 (b) such shorter period as the Department may by regulations specify.

(6) Regulations under this section are subject to negative resolution.

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Power to alter notice period

2.—(1) The Department may (subject to subsections (2) and (3)) by regulations amend section 1(1)(a)—

(a) to alter the reference to 12 weeks to—

(i) a reference to 6 months, or

(ii) a reference to any other specified period which is less than 6 months, or

(b) to alter a reference which has been altered by virtue of paragraph (a) or this paragraph.

(2) A reference which has been altered by virtue of subsection (1)(a) or (b) cannot result in the reference being to a specified period of more than 6 months.

(3) Regulations under subsection (1) may not alter the reference in section 1(1)(a) to a period of more than 12 weeks in the case of—

(a) a landlord who needs to live in the dwelling-house, or

(b) a landlord of a tenancy in which the tenant, or any other person residing in the tenant's household, engages in serious anti-social behaviour after this Act comes into operation.

(4) Regulations under subsection (1) may, in particular—

(a) make provision about the meaning of “needs to live in the dwelling-house” and “engages in serious anti-social behaviour” in subsection (3);

(b) make provision about the evidence to be provided to show that a case falls within subsection (3)(a) or (b).

(5) Regulations under subsection (1) are subject to negative resolution.

Power to make further provision

3.—(1) The Department may by regulations make provision for a statutory provision to have effect with modifications in consequence of any provision of this Act.

(2) The Department may by regulations make transitional, transitory or saving provision in connection with—

(a) any provision made under subsection (1);

(b) the coming into operation of this Act;

(c) the emergency period coming to an end.

(3) Regulations made under this section containing provision which modifies Northern Ireland legislation may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(4) Any other regulations made under this section are subject to negative resolution.

Interpretation

4.—(1) In this Act—

“the Department” means the Department for Communities;

“the emergency period” has the meaning given by section 1(2).

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(2) Expressions used in this Act and in the Private Tenancies (Northern Ireland) Order 2006 have the meaning given in that Order.

Commencement

5 **5.** This Act comes into operation on the day after the day on which this Act receives Royal Assent.

Short title

6. This Act may be cited as the Private Tenancies (Coronavirus Modifications) Act (Northern Ireland) 2020.