



# Business Tenancies Act (Northern Ireland) 1964

## 1964 CHAPTER 36

### PART I

#### SECURITY OF TENURE FOR BUSINESS, PROFESSIONAL AND CERTAIN OTHER TENANTS

##### GENERAL AND SUPPLEMENTARY PROVISIONS

- 23 Duty of tenants and landlords of business premises to give information to each other.**
- (1) Any person having an estate in any business premises, being an estate in reversion expectant (whether immediately or not) on a tenancy of those premises, may serve on the tenant under such tenancy a notice in the prescribed form, requiring such tenant to notify that person—
- (a) whether he occupies the premises or any part thereof wholly or partly for the purposes of a business carried on by him; and
  - (b) whether his tenancy has effect subject to any sub-tenancy on which his tenancy is immediately expectant and, if so, what premises are comprised in the sub-tenancy, for what term it has effect (or, if it is terminable by notice, by what notice it can be terminated), what is the rent payable thereunder, who is the sub-tenant, and (to the best of his knowledge and belief) whether the sub-tenant is in occupation of the premises or of part of the premises comprised in the sub-tenancy and, if not, what is the sub-tenant's address.
- (2) A tenant of business premises, being a tenant under such a tenancy as is mentioned in section 5(1), may serve all or any of the following notices:—
- (a) on his immediate landlord or the person to whom he pays the rent in respect of the premises comprised in the tenancy a notice in the prescribed form requiring such landlord or person to inform him of the nature and duration of

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*Changes to legislation: There are currently no known outstanding effects for the Business Tenancies Act (Northern Ireland) 1964, Section 23. (See end of Document for details)*

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- that landlord's reversion in such premises or any part thereof and the name and address of the immediately superior landlord, if any, of that landlord;
- (b) on any person whom the tenant reasonably believes to be a superior landlord or the agent of a superior landlord, a notice in the prescribed form requiring such person to inform him whether such person or any person for whom such person is agent has or has not any estate in the said premises or any part thereof, the nature, tenure and duration of such estate, if any, and the names and addresses of the persons having estates in the said premises or any part thereof immediately superior or immediately inferior to such estate.
- (3) The information which any such person as is mentioned in paragraphs ( a ) and ( b ) of subsection (2) is required to give under that subsection shall include information whether there is a mortgagee in possession of the estate of the immediate landlord, or as the case may be, the superior landlord, in the premises and, if so, what is the name and address of the mortgagee.
- (4) Where a mortgagee is in possession of an estate in the said premises or any part thereof, being an estate in reversion expectant (whether immediately or not) on the estate of the tenant the tenant may serve a notice in the prescribed form requiring the mortgagee to inform him—
- (a) of the nature and duration of the estate of his mortgagor; and
- (b) of the name and address of the immediate landlord, if any, of his mortgagor.
- (5) It shall be the duty of any person on whom a notice is served under this section 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 is served under this section and the person on whom such notice is so served fails or neglects to furnish in writing, within the time limited by this section, the information he is required by this section so to furnish, the person by whom the notice was served may apply to the Lands Tribunal and on the hearing of such application the Lands Tribunal may make such order as it thinks necessary with a view to compelling such person so to furnish such information and any such order may be enforced by mandamus.
- (7) In the case of a tenancy granted for a term certain the foregoing provisions of this section shall not apply to a notice served by or on the tenant more than two years before the date on which but for this Part 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 section—
- “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, and the expression “his mortgagor” shall be construed accordingly;
- “sub-tenant” includes a person retaining possession of any premises by virtue of the Rent Restrictions Acts after the coming to an end of a sub-tenancy, and “sub-tenancy” includes a right so to retain possession.

**Changes to legislation:**

There are currently no known outstanding effects for the Business Tenancies Act (Northern Ireland) 1964, Section 23.