



Small Business, Enterprise and Employment Act 2015

2015 CHAPTER 26

PART 4

THE PUBS CODE ADJUDICATOR AND THE PUBS CODE

Pubs Code

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- (1) The Secretary of State must, before the end of the period of one year beginning with the day on which this section comes into force, make regulations about practices and procedures to be followed by pub-owning businesses in their dealings with their tied pub tenants.
- (2) In this Part the regulations are referred to as “the Pubs Code”.
- (3) The Secretary of State must seek to ensure that the Pubs Code is consistent with—
 - (a) the principle of fair and lawful dealing by pub-owning businesses in relation to their tied pub tenants;
 - (b) the principle that tied pub tenants should not be worse off than they would be if they were not subject to any product or service tie.
- (4) The Pubs Code may, in particular—
 - (a) contain requirements as to the provision of information by pub-owning businesses to their tied pub tenants;
 - (b) require pub-owning businesses, in specified circumstances, to provide the following assessments in relation to their tied pub tenants—
 - (i) rent assessments, or
 - (ii) assessments of money payable by the tenant in lieu of rent;
 - (c) make provision about the information that such assessments must contain and how they are to be calculated and presented;

Status: This is the original version (as it was originally enacted).

- (d) specify that such assessments must be conducted in accordance with provisions of documents specified in the Pubs Code;
 - (e) where any document is specified for the purposes of paragraph (d), refer to the provisions of the document as amended from time to time;
 - (f) impose other obligations on pub-owning businesses in relation to their tied pub tenants.
- (5) The Pubs Code may require pub-owning businesses to provide parallel rent assessments in relation to their tied pub tenants in specified circumstances, and in connection with such provision may —
- (a) confer on the Adjudicator functions in relation to parallel rent assessments,
 - (b) require the payment of a fee by tied pub tenants to the Adjudicator in connection with the exercise of those functions, and
 - (c) make provision corresponding to that mentioned in subsection (4)(c), (d) and (e).