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DRAFT STATUTORY INSTRUMENTS

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**2016 No.**

**The Pubs Code etc. Regulations 2016**

**PART 16**

Transitional provisions

**Rent assessments**

**66.**—(1) The reference in regulation 19(1)(a) to a rent review which is required under the terms of a tenancy or licence does not include—

- (a) a rent review where the rent review date falls before the commencement date; or
- (b) a rent review which is concluded before the commencement date.

(2) A tied pub tenant may request, on or before the 5-year anniversary date, a rent assessment or an assessment of money payable in lieu of rent under regulation 19(2)(a) if, and only if—

- (a) no rent assessment or assessment of money payable in lieu of rent has been concluded before the date of the request; and
- (b) no rent review has been concluded within the period of 5 years ending with the date of the request.

(3) A tied pub tenant may not request a rent assessment or an assessment of money payable in lieu of rent under regulation 19(2)(b) unless the tenant first receives notification of the significant increase on or after the commencement date.

(4) A tied pub tenant may not request a rent assessment or an assessment of money payable in lieu of rent under regulation 19(2)(c) unless the tenant sends the written analysis mentioned in that paragraph on or after the commencement date.

(5) Paragraph (6) applies where—

- (a) a pub-owning business is required to conduct a rent assessment or an assessment of money payable in lieu of rent under regulation 19(1)(a); and
- (b) the rent review date falls before the end of the period of 6 months beginning with the commencement date.

(6) Regulation 20(2)(a) does not apply; instead, the pub-owning business must provide the rent assessment proposal to the tied pub tenant—

- (a) where the rent review date falls before 1 September 2016, on or before 8 July 2016;
- (b) otherwise, on or before 19 August 2016.

(7) For the purposes of this regulation—

- (a) a rent review is concluded when the rent, or money payable in lieu of rent, is agreed in writing between the pub-owning business and the tied pub tenant;
- (b) a rent assessment is concluded when it ends (see regulation 22).

(8) In this regulation, the “5-year anniversary date” means the date which is 5 years after the commencement date.