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STATUTORY INSTRUMENTS

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**2020 No. 312**

**The Electrical Safety Standards in the Private  
Rented Sector (England) Regulations 2020**

**PART 2**

**Duties of private landlords**

**Duties of private landlords in relation to electrical installations**

- 3.—**(1) A private landlord<sup>(1)</sup> who grants or intends to grant a specified tenancy must—
- (a) ensure that the electrical safety standards are met during any period when the residential premises<sup>(2)</sup> are occupied under a specified tenancy;
  - (b) ensure every electrical installation in the residential premises is inspected and tested at regular intervals by a qualified person; and
  - (c) ensure the first inspection and testing is carried out—
    - (i) before the tenancy commences in relation to a new specified tenancy; or
    - (ii) by 1st April 2021 in relation to an existing specified tenancy.
- (2) For the purposes of sub-paragraph (1)(b) “at regular intervals” means—
- (a) at intervals of no more than 5 years; or
  - (b) where the most recent report under sub-paragraph (3)(a) requires such inspection and testing to be at intervals of less than 5 years, at the intervals specified in that report.
- (3) Following the inspection and testing required under sub-paragraphs (1)(b) and (c) a private landlord must—
- (a) obtain a report from the person conducting that inspection and test, which gives the results of the inspection and test and the date of the next inspection and test;
  - (b) supply a copy of that report to each existing tenant of the residential premises within 28 days of the inspection and test;
  - (c) supply a copy of that report to the local housing authority within 7 days of receiving a request in writing for it from that authority;
  - (d) retain a copy of that report until the next inspection and test is due and supply a copy to the person carrying out the next inspection and test; and
  - (e) supply a copy of the most recent report to—
    - (i) any new tenant of the specified tenancy to which the report relates before that tenant occupies those premises; and
    - (ii) any prospective tenant within 28 days of receiving a request in writing for it from that prospective tenant.

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(1) See the definition of “private landlord” in section 122(6) of the Housing and Planning Act 2016.

(2) See the definition of “residential premises” in section 122(6) of the Housing and Planning Act 2016.

(4) Where a report under sub-paragraph (3)(a) indicates that a private landlord is or is potentially in breach of the duty under sub-paragraph (1)(a) and the report requires the private landlord to undertake further investigative or remedial work, the private landlord must ensure that further investigative or remedial work is carried out by a qualified person within—

- (a) 28 days; or
- (b) the period specified in the report if less than 28 days,

starting with the date of the inspection and testing.

(5) Where paragraph (4) applies, a private landlord must—

- (a) obtain written confirmation from a qualified person that the further investigative or remedial work has been carried out and that—
  - (i) the electrical safety standards are met; or
  - (ii) further investigative or remedial work is required;
- (b) supply that written confirmation, together with a copy of the report under sub-paragraph (3)(a) which required the further investigative or remedial work to each existing tenant of the residential premises within 28 days of completion of the further investigative or remedial work; and
- (c) supply that written confirmation, together with a copy of the report under sub-paragraph (3)(a) which required the further investigative or remedial work to the local housing authority within 28 days of completion of the further investigative or remedial work.

(6) Where further investigative work is carried out in accordance with paragraph (4) and the outcome of that further investigative work is that further investigative or remedial work is required, the private landlord must repeat the steps in paragraphs (4) and (5) in respect of that further investigative or remedial work.

(7) For the purposes of sub-paragraph (3)(e)(ii) a person is a prospective tenant in relation to residential premises if that person—

- (a) requests any information about the premises from the prospective landlord for the purpose of deciding whether to rent those premises;
- (b) makes a request to view the premises for the purpose of deciding whether to rent those premises; or
- (c) makes an offer, whether oral or written, to rent those premises.