



Housing and Planning Act 2016

2016 CHAPTER 22

PART 5

HOUSING, ESTATE AGENTS AND RENTCHARGES: OTHER CHANGES

Electrical safety standards

123 Electrical safety standards: enforcement

- (1) Regulations under section 122 may provide for covenants to be implied into a tenancy.
- (2) Regulations under that section—
 - (a) may make provision about the enforcement of a duty imposed by the regulations;
 - (b) may confer functions on a local housing authority in England.
- (3) The provision that may be made about enforcement includes provision—
 - (a) requiring a landlord who fails to comply with a duty imposed by the regulations to pay a financial penalty (or more than one penalty in the event of a continuing failure);
 - (b) conferring power on a local housing authority to arrange for a person to enter on the premises, with the consent of the tenant, to remedy any failure by the landlord to comply with a duty imposed by the regulations.
- (4) The provision that may be made in reliance on subsection (3)(a) includes provision—
 - (a) about the procedure to be followed in imposing penalties;
 - (b) about the amount of penalties;
 - (c) conferring rights of appeal against penalties;
 - (d) for the enforcement of penalties;
 - (e) about the application of sums paid by way of penalties (and such provision may permit or require the payment of sums into the Consolidated Fund).
- (5) The provision that may be made in reliance on subsection (3)(b) includes provision—

Status: This is the original version (as it was originally enacted).

- (a) about procedural matters;
 - (b) enabling a local housing authority to recover from the landlord any costs incurred by it in remedying the failure;
 - (c) about the application of costs recovered (and such provision may permit or require the payment of sums into the Consolidated Fund).
- (6) In this section “local housing authority” has the meaning given by section 1 of the Housing Act 1985.