Housing and Planning Act 2016

2016 CHAPTER 22

PART 5

HOUSING, ESTATE AGENTS AND RENTCHARGES: OTHER CHANGES

Electrical safety standards

122 Electrical safety standards for [F1residential properties let by landlords]

(1) The Secretary of State may by regulations impose duties on a F2... landlord of residential premises in England **[**F3to whom this section applies**]** for the purposes of ensuring that electrical safety standards are met during any period when the premises are occupied under a tenancy.

[F4(1A) This section applies to a landlord who is—

(a) a private landlord, or

(b) a registered provider of social housing.**]**

(2) "Electrical safety standards" means standards specified in, or determined in accordance with, the regulations in relation to—

(a) the installations in the premises for the supply of electricity, or

(b) electrical fixtures, fittings or appliances provided by the landlord.

(3) The duties imposed on the landlord may include duties to ensure that a qualified person has checked that the electrical safety standards are met.

(4) The regulations may make provision about—

(a) how and when checks are carried out;

(b) who is qualified to carry out checks.

(5) The regulations may require the landlord—

(a) to obtain a certificate from the qualified person confirming that electrical safety standards are met, and

***Changes to legislation:** Housing and Planning Act 2016, Section 122 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(b) to give a copy of a certificate to the tenant, or a prospective tenant, or any other person specified in the regulations.

(6) In this section—

"premises" includes land, buildings, moveable structures, vehicles and vessels;

"private landlord" means a landlord who is not within section 80(1) of the Housing Act 1985 (the landlord condition for secure tenancies);

"residential premises" means premises all or part of which comprise a dwelling;

"tenancy" includes a licence to occupy (and "landlord" is to be read accordingly).

Textual Amendments

F1 Words in s. 122 heading substituted (20.7.2023) by Social Housing (Regulation) Act 2023 (c. 36), **ss. 11(2)**, 46(1)(a)

F2 Word in s. 122(1) omitted (20.7.2023) by virtue of Social Housing (Regulation) Act 2023 (c. 36), **ss. 11(3)(a)**, 46(1)(a)

F3 Words in s. 122(1) inserted (20.7.2023) by Social Housing (Regulation) Act 2023 (c. 36), **ss. 11(3)(b)**, 46(1)(a)

F4 S. 122(1A) inserted (20.7.2023) by Social Housing (Regulation) Act 2023 (c. 36), **ss. 11(4)**, 46(1)(a)

Commencement Information

I1 S. 122 in force at 25.10.2019 by S.I. 2019/1359, **reg. 2**

Changes to legislation:
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 95(1)(ia) inserted by 2023 c. 36 Sch. 1 para. 2
- s. 100(7)(aa) inserted by 2023 c. 36 Sch. 1 para. 3
- s. 172(1)(a) words renumbered as s. 172(1)(a) by 2017 c. 20 s. 26(8)(a)(i)
- s. 172(1)(b) inserted by 2017 c. 20 s. 26(8)(a)(ii)