STATUTORY INSTRUMENTS

2025 No. 1043

HOUSING, ENGLAND

The Electrical Safety Standards in the Private Rented Sector (England) (Amendment) (Extension to the Social Rented Sector) Regulations 2025

Made - - - - 23rd September 2025

Coming into force in accordance with regulation 1(2)

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 122, 123 and 214(6) of the Housing and Planning Act 2016(**a**).

In accordance with section 214(2) of the Housing and Planning Act 2016, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Electrical Safety Standards in the Private Rented Sector (England) (Amendment) (Extension to the Social Rented Sector) Regulations 2025.

(2) These Regulations come into force as follows—

(a) this regulation and regulations 2, 11 and 12 come into force on 1st November 2025;

(b) regulations 3 to 6, 8 to 10 and 13 come into force—

(i) on 1st May 2026 in relation to tenancies granted before 1st December 2025 under which the landlord is a registered provider of social housing(**b**); and

(ii) on 1st November 2025 for all other purposes;

(c) regulation 7 comes into force on 1st May 2026.

(3) These Regulations extend to England and Wales.

Amendment of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

2. The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020(**c**) are amended in accordance with regulations 3 to 13.

Extension to registered providers of social housing

3.—(1) In the title, after "Private Rented Sector" insert "and Social Rented Sector".

(**a**) 2016 c. 22. Section 122 was amended by section 11 of the Social Housing (Regulation) Act 2023 (c. 36).
(**b**) See section 80(2)(a) of the Housing and Regeneration Act 2008 (c. 17) for the definition of "registered providers of social housing".
(**c**) S.I. 2020/312.

(2) In regulation 1 (citation, commencement and application)—

(a) in paragraph (1), after "Private Rented Sector" insert "and Social Rented Sector";

(b) for paragraph (3), substitute—

"(3) These Regulations apply in England only in relation to specified tenancies.".

(3) In Parts 2 to 5 (including Schedule 2)—

(a) for each reference to "private landlord" substitute "landlord";

(b) for each reference to "private landlords" substitute "landlords".

Amendment of regulation 2

4. In regulation 2 (interpretation)—

(a) after the definition of "authorised person" insert—

""electrical equipment" means those electrical fixtures, fittings and appliances that are not electrical installations;";

(b) omit the definition of "existing specified tenancy";

(c) omit the definition of "new specified tenancy";

(d) omit the definition of "qualified person";

(e) before the definition of "remedial notice" insert—

""prospective tenant" means, in relation to a specified tenancy, a person—

(a) who requests, from a prospective landlord, any information about the residential premises that would be demised under the tenancy for the purpose of deciding whether to rent those premises;

(b) who makes a request to view those premises for the purpose of deciding whether to rent those premises;

(c) who makes an offer, whether oral or written, to rent those premises; or

(d) to whom a registered provider makes an offer, whether oral or written, to let those premises;

"registered provider" means a registered provider of social housing;

"relevant equipment" means—

(a) where a registered provider grants a specified tenancy, electrical equipment provided by the registered provider under the tenancy; or

(b) where a registered provider intends to grant a specified tenancy, electrical equipment that would be provided by the registered provider under the tenancy if the tenancy were granted;".

Amendment of Part 2

5.—(1) For the heading to Part 2 substitute—

"Duties of landlords in relation to electrical installations etc.".

(2) For the title to regulation 3 substitute—

"Duties of landlords in relation to electrical installations etc.".

(3) In regulation 3 (duties of landlords in relation to electrical installations)—

(a) for paragraph (1)(c) substitute—

"(c) ensure every electrical installation in the residential premises is inspected and tested by a qualified person before the specified tenancy commences.";

(b) in paragraph (2)(b), for "to be at intervals" to the end substitute "to take place by an earlier date, no later than that date.";

(c) after paragraph (2) insert—

"(2A) A landlord is not to be taken to be in breach of a duty under paragraph (1) if the landlord can show they have taken all reasonable steps to comply with that duty.

(2B) For the purposes of paragraph (2A), where a landlord, or a person acting on behalf of a landlord, is prevented from entering the residential premises to which the duty under paragraph (1) relates by a tenant of those premises, the landlord will not be considered to have failed to have taken all reasonable steps to comply with that duty solely by reason of a failure to bring legal proceedings with a view to securing entry to the premises.";

(d) in paragraph (3)(a), for the words from "gives" to the end substitute—

"—

(i) gives the results of the inspection and test and the date by which the next inspection and test is required; and

(ii) where the landlord is a registered provider that provides relevant equipment in the residential premises to which the report relates, states whether the checking required by regulation 3B(1) is up to date for each item of such equipment that has been identified in information supplied under regulation 3D;";

(e) after paragraph (3)(c) insert—

"(ca) retain a copy of that report until the later of—

(i) the date by which the next inspection and test is required under sub-paragraph (1); and

(ii) the date on which the next inspection and test is conducted,

unless it is superseded by a more recent report under sub-paragraph (3)(a);";

(f) for paragraph (3)(d) substitute—

"(d) supply a copy of that report to the person carrying out the next inspection and test under paragraph (1); and";

(g) in paragraph (3)(e)(i), for "of the specified tenancy" insert "under a specified tenancy of premises";

(h) in paragraph (3)(e)(ii), after "any prospective tenant" insert "under a specified tenancy of premises to which the report relates";

(i) after paragraph (6) insert—

"(6A) Paragraphs (2A) and (2B) apply in relation to a duty under paragraph (4) and (6) as they apply in relation to a duty under paragraph (1).";

(j) omit paragraph (7);

(k) at the end insert—

"(8) In this regulation—

"qualified person" means a person competent to undertake the inspection and testing required under paragraph (1) and any further investigative or remedial work in accordance with the electrical safety standards;

"up to date" means, in relation to the checking of an item of relevant equipment, that the date given in the most recent ISIT record (within the meaning of regulation 3A(2)) for the item of relevant equipment as the date by which the next inspection and test must take place has not passed.".

Duties of registered providers in relation to electrical equipment

6. After regulation 3 (duties of landlords in relation to electrical installations) insert—

"PART 2A

Duties of registered providers in relation to electrical equipment

Application and interpretation of this Part

3A.—(1) This Part applies to a registered provider that grants, or intends to grant, a specified tenancy of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008(**a**)) under which electrical equipment is provided, or would be provided if the tenancy were granted.

(2) In this Part—

"check" means, in relation to an item of electrical equipment, such visual inspection or testing (or both) of that equipment as the qualified person conducting the check considers necessary to determine whether or not that equipment is safe for continued use;

"ISIT record" means a record under regulation 3C(1) or (4);

"qualified person" means a person competent to undertake the checking required under regulation 3B(1) and any remedial work required under regulation 3C(2)(b);

"safe for continued use" means, in relation to an item of electrical equipment, that—

(a) it is of such construction as to prevent, so far as is reasonably practicable, risk of death, personal injury or other harm from electric shock, electric burn, electrical explosion or arcing, or from fire or explosion initiated by electrical energy;

(b) it is maintained so as to prevent, so far as is reasonably practicable, such risk; and

(c) it is not provided for use in applications for which it is unsuitable.

Duties of registered providers for safety and checking of electrical equipment

3B.—(1) A registered provider must ensure that—

(a) relevant equipment is safe for continued use during any period in which the residential premises in which it is provided are occupied under a specified tenancy;

(b) each item of relevant equipment provided in residential premises occupied under a specified tenancy is checked at regular intervals by a qualified person; and

(c) before a specified tenancy commences, each item of relevant equipment provided in the residential premises that will be occupied under the tenancy is checked by a qualified person.

(2) For the purposes of paragraph (1)(b) "at regular intervals" means, in relation to the checking of an item of relevant equipment—

(a) at intervals of no more than 5 years; or

(b) where the most recent ISIT record for that equipment requires the next check to take place by an earlier date, no later than that date.

(3) Regulation 3(2A) and (2B) applies in relation to a duty under paragraph (1) as it applies in relation to a duty under regulation 3(1).

Duties of registered providers following a check of electrical equipment

3C.—(1) Following a check required under regulation 3B(1), the registered provider must obtain a record from the person conducting the check which gives—

(a) the results of the check; and

(**a**) 2008 c. 17.

(b) where the item of relevant equipment is safe for continued use, the date by which the next check is required under regulation 3B(1).

(2) Where the ISIT record indicates that an item of relevant equipment is not safe for continued use—

(a) the registered provider must—

(i) where the check was under regulation 3B(1)(b), immediately inform the tenant of that fact;

(ii) where the check was under regulation 3B(1)(c) and the equipment remains unsafe at the time the tenancy commences, immediately inform the tenant of that fact;

(b) the registered provider must within the required timeframe—

(i) ensure that remedial work that makes the item of relevant equipment safe for continued use is carried out by a qualified person; or

(ii) replace the item of relevant equipment with one that is safe for continued use.

(3) For the purposes of paragraph (2)(b) "within the required timeframe" means—

(a) where the ISIT record was obtained following a check under regulation 3B(1)(b), as soon as reasonably practicable and no later than 28 days after the check takes place; or

(b) where the ISIT record was obtained following a check under regulation 3B(1)(c)—

(i) as soon as reasonably practicable and no later than 28 days after the check takes place, or

(ii) if the premises in which the item of electrical equipment is provided is not occupied under a specified tenancy, before the tenancy commences (if later).

(4) Following remedial work to, or replacement of, an item of relevant equipment under paragraph (2)(b), the registered provider must obtain a record from a qualified person that—

(a) confirms that the item of relevant equipment is safe for continued use; and

(b) gives the date by which the next check is required under regulation 3B(1).

(5) Regulation 3(2A) and (2B) applies in relation to a duty under paragraph (2)(b) as it applies in relation to a duty under regulation 3(1).

Supplementary duties of registered providers in relation to ISIT records etc.

3D. A registered provider must—

(a) retain a copy of an ISIT record for an item of relevant equipment until the later of—

(i) the date by which the next check of that equipment is required under regulation 3B(1); and

(ii) the date on which the next such check is conducted,

unless it is superseded by a more recent ISIT record for that equipment;

(b) supply a copy of the most recent ISIT record for an item of relevant equipment to the person carrying out—

(i) the next check of that equipment under regulation 3B(1); or

(ii) any remedial work to that equipment required under regulation 3C(2)(b)(i);

(c) supply the person carrying out an inspection and test required under regulation 3(1) of electrical installations in residential premises with—

(i) information in writing identifying any relevant equipment provided in the residential premises; and

(ii) where there is relevant equipment provided in the residential premises, a copy of the most recent ISIT record for each item of such equipment;

(d) supply the local housing authority(**a**) with—

(i) information in writing identifying any relevant equipment provided in residential premises demised under a specified tenancy; and

(ii) where there is relevant equipment provided in the residential premises, a copy of the most recent ISIT record for each item of such equipment,

within 7 days of receiving a request in writing for it from the authority;

(e) supply, to a tenant of a specified tenancy under which relevant equipment is provided, a copy of the most recent ISIT record for each item of relevant equipment provided in the residential premises demised under the tenancy within 28 days of receiving a request in writing for it from the tenant; and

(f) supply a copy of the most recent ISIT record for each item of relevant equipment provided in the residential premises demised, or to be demised, under a specified tenancy to—

(i) any new tenant under that tenancy before that tenant occupies those premises; and

(ii) any prospective tenant under that tenancy within 28 days of receiving a request in writing for it from that prospective tenant.".

Insertion of transitional provision—certain tenancies granted before 1st December 2025

7. After the provision inserted by regulation 6 of these Regulations insert—

"PART 2B

Modification of duties under regulation 3(1) and 3B(1)

Transitional provision—certain tenancies granted before 1st December 2025

3E.—(1) This regulation applies in relation to specified tenancies that were granted before 1st December 2025 under which the landlord is a registered provider.

(2) Regulation 3(1)(c) has effect as if for "before the specified tenancy commences" there were substituted "before 1st November 2026".

(3) Regulation 3B(1)(c) has effect as if for "before a specified tenancy commences" there were substituted "before 1st November 2026".

(4) Regulation 3C(3)(b) has effect as if the following were omitted—

(a) the "or" at the end of paragraph (i);

(b) paragraph (ii).".

Amendment of regulation 4

8. For regulation 4(1) (service of remedial notices) substitute—

"(1) A local housing authority must serve a remedial notice on a landlord where it has reasonable grounds to believe that, in relation to residential premises situated within its area—

(**a**) See section 123(6) of the Housing and Planning Act 2016 for the definition of "local authority authority".

(a) the landlord is in breach of one or more of the duties under regulation 3(1), (4) and (6) and the most recent report under regulation 3(3) does not indicate that urgent remedial action is required; or

(b) the landlord is in breach of one or more of the duties under regulations 3B(1) and 3C(2).".

Amendment of regulation 5

9. In regulation 5 (duty of landlord to comply with a remedial notice), for paragraphs (2) and (3) substitute—

"(2) Regulation 3(2A) and (2B) applies in relation to a duty under paragraph (1) as it applies in relation to a duty under regulation 3(1).".

Amendment of regulation 11

10. In regulation 11 (financial penalties for breach of duties)—

(a) in paragraph (1), after "regulation 3" insert ", 3B, 3C or 3D";

(b) in paragraph (2)(b), for "£30,000" substitute "£40,000".

Insertion of review provision

11. After regulation 12 insert—

"PART 5A

Review

Review

12A.—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in Parts 2 to 5 of these Regulations; and

(b) publish a report setting out the conclusions of the review.

(2) The first report must be published before 1st November 2030.

(3) Subsequent reports must be published at intervals not exceeding five years.

(4) A report published under this regulation must, in particular—

(a) set out the objectives to be achieved by the regulatory provision referred to in paragraph (1)(a);

(b) assess the extent to which those objectives are achieved;

(c) assess whether those objectives remain appropriate;

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this regulation, "regulatory provision" has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015(**a**) (see section 32 of that Act).
".

Amendment of Schedule 1

12. In Schedule 1 (excluded tenancies)—

(**a**) 2015 c. 26.

(a) omit paragraph 1;

(b) after paragraph 8 insert—

"Moveable structures, vehicles and vessels

9. A tenancy that grants a right of occupation in a moveable structure, vehicle or vessel.".

Amendment of Schedule 2

13. In Schedule 2 (procedure for and appeals against financial penalties)—

(a) in paragraph 1(1) (notice of intent), after "regulation 3" insert ", 3B, 3C or 3D";

(b) in paragraph 5(6), for "£30,000" substitute "£40,000";

(c) in paragraph 7 (proceeds of financial penalties)—

(i) in sub-paragraph (1), for "the private rented sector" substitute "rented housing";

(ii) in sub-paragraph (3), in the definition of "private rented sector", for "private rented sector" substitute "rented housing".

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
23rd September 2025 Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 ("the Principal Regulations"). They are, in part, enabled by amendments made by the Social Housing (Regulation) Act 2023 (c. 36) to the power in section 122 of the Housing and Planning Act 2016 (c. 22).

In overview, these Regulations extend requirements in the Principal Regulations relating to the inspection and testing of electrical installations in rented accommodation to registered providers of social housing ("registered providers"). They also impose requirements relating to the checking of electrical equipment provided by such landlords under a tenancy of social housing and make some other consequential and related amendments.

Regulation 3(2)(b) of these Regulations amends the Principal Regulations so that they apply in relation to all specified tenancies in England. A specified tenancy is defined in regulation 2 of the Principal Regulations and is a tenancy of residential premises in England which grants the tenant a right to occupy the premises as their only or main residence and under which rent is payable (apart from certain types of tenancy listed in Schedule 1). Regulation 12 of these Regulations amends Schedule 1 of the Principal Regulations to remove the exclusion from that definition of tenancies where the landlord is a private registered provider of social housing. It also adds an exclusion for tenancies of moveable structures, vehicles and vessels.

Regulation 3 of the Principal Regulations, as amended by regulation 5 of these Regulations, requires landlords of specified tenancies (whether private landlords or registered providers) to ensure that the electrical safety standards are met during any period that residential premises are occupied under such a tenancy and to ensure that every electrical installation in the premises is inspected and tested by a qualified person before the tenancy commences and at regular intervals thereafter. Regulation 3 also imposes duties relating to reports of such inspections and any necessary remedial work. The amendments made by these Regulations include provision for a defence to the breach of duties under regulation 3(1), (4) and (6) if all reasonable steps have been taken to comply. Amendments add a requirement that reports under regulation 3 must, where

applicable, state whether the checking of electrical equipment required by new regulation 3B(1) of the Principal Regulations, inserted by regulation 6 of these Regulations, is up to date and make some other consequential and minor drafting changes.

New regulation 3B(1) of the Principal Regulations, inserted by regulation 6 of these Regulations, requires registered providers that are landlords of specified tenancies of social housing under which electrical equipment is provided to ensure that the equipment they provide is safe for continued use and to ensure that a qualified person has checked that each item of electrical equipment so provided is safe for continued use before the tenancy commences and at regular intervals thereafter. New regulations 3C and 3D of the Principal Regulations, also inserted by regulation 6 of these Regulations, impose duties relating to reports of such checks and any necessary remedial work. There is provision for a defence to the breach of duties under new regulations 3B(1) and 3C(2)(b) (remediation or replacement of unsafe equipment) if all reasonable steps have been taken to comply.

Regulation 7 of these Regulations inserts transitional provision into the Principal Regulations that applies in respect of tenancies provided by registered providers that were granted before 1st December 2025. For such tenancies the first inspection and test of electrical installations under regulation 3(1)(c) and, if applicable, check of relevant electrical equipment under new regulation 3B(1)(c), must take place before 1st November 2026.

Regulations 4 to 12 of the Principal Regulations, which regulations 8 to 10 of these Regulations amend, make provision for the enforcement of the requirements in regulation 3 and new regulations 3B to 3D of the Principal Regulations, including provision enabling a local housing authority to require a landlord to comply with a remedial notice, to arrange remedial action and emergency remedial action, and to fine landlords if they fail to comply with those duties. The maximum financial penalty is increased to £40,000 from £30,000 by regulation 10. Regulation 9 of these Regulations amends the defence to a failure to comply with the duty to comply with a remedial notice. It extends the provision that currently applies if a tenant refuses access to the landlord to refusals of access to a person acting on behalf of the landlord.

Regulation 11 of these Regulations inserts a statutory review requirement into the Principal Regulations. The first review must take place by 1st November 2030. Reviews must take place at intervals not exceeding 5 years thereafter.

Schedule 2 to the Principal Regulations, which is amended by regulation 13 of these Regulations, deals with procedural matters relating to financial penalties for breach of the duties in regulation 3 and new regulations 3B to 3D of the Principal Regulations and makes provision relating to the retention of the proceeds of such financial penalties by a local housing authority and appeals against the imposition of a financial penalty.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector formed part of the impact assessment for the Social Housing (Regulation) Act 2023. A copy is available at https://bills.parliament.uk/publications/46714/documents/1906. A hard copy can be obtained by writing to the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London, SW1P 4DF.

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