STATUTORY INSTRUMENTS

2026 No. 321

LANDLORD AND TENANT, ENGLAND

The Housing Act 1988 (Assured Tenancies) (Definition of Legal Representative) (England) Regulations 2026

Made - - - -	*18th March 2026*
Laid before Parliament	*20th March 2026*
Coming into force - -	*1st May 2026*

The Secretary of State makes these Regulations in exercise of the power conferred by section 16M(1) of the Housing Act 1988(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Housing Act 1988 (Assured Tenancies) (Definition of Legal Representative) (England) Regulations 2026.

(2) These Regulations come into force on 1st May 2026.

(3) These Regulations extend to England and Wales.

Legal representatives

2. The Schedule sets out the descriptions of persons that are specified as legal representatives for the purposes of section 16M of the Housing Act 1988.

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

Matthew Pennycook
Minister of State
18th March 2026 Ministry of Housing, Communities and Local Government

(**a**) 1988 c. 50. Section 16M is inserted by section 17 of the Renters' Rights Act 2025 (c. 26).

SCHEDULE

Regulation 2

Legal Representatives

Employees and managers of a legal representative

1. Persons who are employees of or managers of a person who is an authorised person in relation to a reserved legal activity for the purposes of the Legal Services Act 2007(**a**).

Registered foreign lawyers

2. A foreign lawyer who is registered under section 89 of the Courts and Legal Services Act 1990(**b**).

Scottish solicitors

3. A person who is enrolled or deemed to have been enrolled as a solicitor in accordance with the Solicitors (Scotland) Act 1980(**c**).

Scottish advocates

4. A person who is a member of the Faculty of Advocates.

Scottish registered foreign lawyers

5. A foreign lawyer who is registered in Scotland under section 60A of the Solicitors (Scotland) Act 1980(**d**).

Northern Irish solicitors

6. A person who has been admitted as a solicitor, has their name on the roll of Solicitors in Northern Ireland and, subject to Part 2 of the Solicitors (Northern Ireland) Order 1976(**e**), has in force a certificate issued by the registrar authorising them to practise as a solicitor.

Northern Irish barristers

7. A barrister called to the Bar of Northern Ireland and holding a current practising certificate.

(**a**) 2007 c. 29. The definition of an authorised person is in section 18 of that Act.
(**b**) 1990 c. 41. See section 89(9) of that Act for the meaning of "foreign lawyer".
(**c**) 1980 c. 46.
(**d**) Section 60A heading and section 60(4) substituted by the Legal Services (Scotland) Act 2010 (Ancillary Provision) Regulations 2012 (S.S.I. 2012/212), regulations 1, 2(2) and 2(3); sections 60A(2)(aa) and 60A(4A)-(4G) inserted by and section 60A(5)(a) omitted by the Solicitors (Scotland) Act 1980 (Foreign Lawyers and Multi-national Practices) Regulations 2004 (S.S.I. 2004/383), regulations 11(a), 11(b) and 11(c).
(**e**) S.I. 1976/582 (N.I. 12).

Registered European lawyers

8. A person who is registered with a professional body in accordance with regulation 17 of the European Communities (Lawyer's Practice) Regulations 2000(**a**).

Registered Swiss lawyers undertaking an adaptation period

9. A Swiss qualified lawyer who is undertaking an adaptation period, and for the purposes of this paragraph "Swiss qualified lawyer" and "adaptation period" have the meanings given by regulation 3(1) of the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023(**b**).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply in England and provide descriptions of persons to be included in the definition of "legal representative" in section 16M of the Housing Act 1988 (c. 50), which was inserted by the Renters' Rights Act 2025 (c. 26). The Housing Act 1988 is amended by the Renters' Rights Act 2025 to include a range of new duties, and corresponding offences, for landlords and others (described as a "relevant person"). The definition of a relevant person excludes a legal representative and these Regulations are intended to ensure that the full range of legal representatives, including those from other jurisdictions, are not caught by the new duties, and corresponding offences.

An impact assessment has not been prepared for this instrument as a full assessment was produced in relation to the Renters' Rights Act 2025. Copies can be obtained at https://publications.parliament.uk/pa/bills/cbill/59-01/0127/amend/Renters_Rights_Bill-IA.pdf or from the Ministry of Housing, Communities and Local Government at 2 Marsham Street, London, SW1P 4DF.

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(**a**) S.I. 2000/1119 (revoked by the Services of Lawyers and Lawyer's Practice (Revocation etc.) (EU Exit) Regulations 2020 (S.I. 2020/1342) but regulation 17 of the European Communities (Lawyer's Practice) Regulations 2000 is given effect by virtue of regulation 6 of the Services of Lawyers and Lawyer's Practice (Revocation etc.) (EU Exit) Regulations 2020).

(**b**) S.I. 2023/1286 as amended by S.I. 2024/1379. The definition of "adaptation period" in S.I. 2023/1286 was substituted by S.I. 2024/1379.

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