STATUTORY INSTRUMENTS

2025 No. 1326 (C. 72)

TELECOMMUNICATIONS

The Product Security and Telecommunications Infrastructure Act 2022 (Commencement No. 4, Saving and Transitional Provisions) Regulations 2025

Made - - - - 15th December 2025

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 76(1) and 79(2) of the Product Security and Telecommunications Infrastructure Act 2022(**a**).

PART 1

Introduction and Commencement

Citation and interpretation

1.—(1) These Regulations may be cited as the Product Security and Telecommunications Infrastructure Act 2022 (Commencement No. 4, Saving and Transitional Provisions) Regulations 2025.

(2) In these Regulations "the 2022 Act" means the Product Security and Telecommunications Infrastructure Act 2022.

Provisions coming into force on 7th April 2026

2. The following provisions of the 2022 Act come into force on 7th April 2026—

(a) section 61 (rent under tenancies conferring code rights: England and Wales);

(b) section 62 (rent under tenancies conferring code rights: Northern Ireland);

(c) section 63 (compensation relating to code rights: England and Wales);

(d) section 64 (compensation relating to code rights: Northern Ireland).

(**a**) 2022 c. 46.

PART 2

Saving and Transitional Provision: England and Wales

Application and interpretation of Part

3.—(1) This Part applies in relation to a current tenancy (in this Part, a "relevant current tenancy") where—

(a) the current tenancy is a subsisting agreement within the meaning of Schedule 2 to the Digital Economy Act 2017(**a**); and

(b) the primary purpose of the current tenancy is to confer code rights (within the meaning of paragraph 3 of that Schedule).

(2) In paragraph (1), "current tenancy" has the same meaning as in Part 2 of the 1954 Act (see sections 23 and 46(1) of that Act).

(3) In this Part, "the 1954 Act" means the Landlord and Tenant Act 1954(**b**).

Saving provision in relation to sections 61 and 63 of the 2022 Act

4.—(1) This regulation applies to a relevant current tenancy where a notice is given in relation to a relevant current tenancy under section 25 (termination of tenancy by the landlord) or section 26 (tenant's request for a new tenancy) of the 1954 Act, and the condition in paragraph (2) applies.

(2) The condition is that—

(a) in the case of a notice given under section 25 of the 1954 Act, the date specified in the notice as the date on which the tenancy is to come to an end falls before 7th April 2026; or

(b) in the case of a notice given under section 26 of the 1954 Act, the date specified in the notice as the date on which the new tenancy is proposed to begin falls before 7th April 2026.

(3) Where this regulation applies to a relevant current tenancy, the 1954 Act applies to the relevant current tenancy as if the amendments made by sections 61 and 63 of the 2022 Act had not been made.

Transitional provision in relation to sections 61 and 63 of the 2022 Act

5.—(1) This regulation applies to a relevant current tenancy where—

(a) an interim rent application has been made;

(b) the appropriate date falls before 7th April 2026; and

(c) regulation 4 does not apply to the relevant current tenancy.

(2) The interim rent for a relevant current tenancy to which this regulation applies is the sum of—

(a) the pre-commencement interim rent; and

(b) the post-commencement interim rent.

(**a**) 2017 c. 30.

(**b**) 1954 c. 56. Relevant amendments to the Landlord and Tenant Act 1954 are the insertion of sections 24A to 24D, and the amendments of sections 25, 26 and 46, all of which were inserted by S.I. 2003/3096.

(3) In paragraph (2)(a), the "pre-commencement interim rent" is the interim rent that would be determined under section 24C (amount of interim rent where new tenancy of whole premises granted and landlord not opposed) or (as the case may be) section 24D (amount of interim rent in any other case) of the 1954 Act for the pre-commencement period if—

(a) the amendments made by sections 61 and 63 of the 2022 Act did not apply; and

(b) section 24C of the 1954 Act were modified in accordance with paragraph (5).

(4) In paragraph (3), the "pre-commencement period" is the part of the interim rent period which—

(a) begins with the appropriate date; and

(b) ends with 6th April 2026.

(5) For the purposes of paragraph (3), section 24C of the 1954 Act is to be read as if—

(a) in subsection (2), for the words from "the rent payable" to the end there were substituted "the interim rent is the relevant rent";

(b) in subsection (3), paragraph (a) were omitted;

(c) subsection (5) were omitted;

(d) in subsection (6), for the words "only of subsection (3)(b) above, or by virtue of subsection (3)(a) and (b) above," there were substituted "of subsection (3) above".

(6) In paragraph (2)(b), the "post-commencement interim rent" is the interim rent determined under section 24C or (as the case may be) section 24D of the 1954 Act for the part of the interim rent period which—

(a) begins with 7th April 2026; and

(b) ends with the date of termination of the relevant current tenancy in accordance with the provisions of the 1954 Act.

(7) In this regulation—

(a) "an interim rent application" means, in relation to a relevant current tenancy, an application to the court under section 24A (applications for determination of interim rent while tenancy continues) of the 1954 Act to determine an interim rent;

(b) "the appropriate date" has the same meaning as in section 24B (date from which interim rent is payable) of the 1954 Act;

(c) "the interim rent period" means, in relation to a relevant current tenancy, the period for which interim rent determined on an application under section 24A(1) of the 1954 Act is payable.

PART 3

Saving and Transitional Provision: Northern Ireland

Application and interpretation of Part

6.—(1) This Part applies in relation to a current tenancy (in this Part, a "relevant current tenancy") where—

(a) the current tenancy is a subsisting agreement within the meaning of Schedule 2 to the Digital Economy Act 2017; and

(b) the primary purpose of the current tenancy is to confer code rights (within the meaning of paragraph 3 of that Schedule).

(2) In paragraph (1), "current tenancy" has the same meaning as in the 1996 Order (see Articles 2(2), 3 and 4 of that Order).

(3) In this Part, "the 1996 Order" means the Business Tenancies (Northern Ireland) Order 1996(**a**).

Saving provision in relation to sections 62 and 64 of the 2022 Act

7.—(1) This regulation applies to a relevant current tenancy where a notice is given under Article 6 (termination of tenancy by the landlord) or Article 7 (request by tenant for a new tenancy) of the 1996 Order, and the condition in paragraph (2) applies.

(2) The condition is that—

(a) in the case of a notice given under Article 6 of the 1996 Order, the date specified in the notice as the date on which the tenancy is to come to an end falls before 7th April 2026; or

(b) in the case of a notice given under Article 7 of the 1996 Order, the date specified in the notice as the date on the which the new tenancy is proposed to begin falls before 7th April 2026.

(3) Where this regulation applies to a relevant current tenancy, the 1996 Order applies to the relevant current tenancy as if the amendments made by sections 62 and 64 of the 2022 Act had not been made.

Transitional provision in relation to sections 62 and 64 of the 2022 Act

8.—(1) This regulation applies to a relevant current tenancy where—

(a) a notice is given in relation to a relevant current tenancy under Article 6 or Article 7 of the 1996 Order;

(b) the term of the relevant current tenancy is extended in consequence of the operation of Article 11(1) of the 1996 Order;

(c) the Lands Tribunal makes an order under Article 11(3) of the 1996 Order to vary the rent payable under the relevant current tenancy; and

(d) regulation 7 does not apply to the relevant current tenancy.

(2) The interim rent for a relevant current tenancy to which this regulation applies is the sum of—

(a) the pre-commencement interim rent; and

(b) the post-commencement interim rent.

(3) In paragraph (2)(a), the "pre-commencement interim rent" is the interim rent that would be determined for the pre-commencement period if the amendments made by sections 62 and 64 of the 2022 Act did not apply.

(4) In paragraph (3), the "pre-commencement period" is the part of the interim rent period which—

(a) begins with the date from which the Lands Tribunal orders the interim rent is payable; and

(b) ends with 6th April 2026.

(**a**) S.I. 1996/725 (N.I. 5). Article 6 was amended by S.I. 1997/1179 (N.I. 8).

(5) In paragraph (2)(b), the "post-commencement interim rent" is the interim rent for the part of the interim rent period which—

(a) begins with 7th April 2026; and

(b) ends with the date of termination of the relevant current tenancy in accordance with the provisions of the 1996 Order.

(6) In this regulation—

(a) "the interim rent" means the rent as varied by order of the Lands Tribunal under Article 11(3) of the 1996 Order; and

(b) "the interim rent period" means the period for which the interim rent is payable.

Lloyd of Effra
Parliamentary Under-Secretary of State
Department for Science, Innovation and Technology

15th December 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force on 7th April 2026 sections 61 to 64 of the Product Security and Telecommunications Infrastructure Act 2022 (c. 46) ("the 2022 Act"). They are the fourth commencement regulations made under the Act.

Section 61 inserts into the Landlord and Tenant Act 1954 (c. 56) ("the 1954 Act") new section 34A which provides that the determination by the court of the rent payable under a new tenancy conferring rights under Schedule 3A to the Communications Act 2003 (c. 21) (the "code rights") in England and Wales includes the assumption that the rights to which the transaction relates do not relate to the provision or use of an electronic communications network.

Section 62 inserts into the Business Tenancies (Northern Ireland) Order 1996 (S.I. 1996/725 (N.I. 5)) ("the 1996 Order") new Article 18A which provides that the determination by the Lands Tribunal of the rent payable under a new tenancy conferring code rights in Northern Ireland includes the same assumption.

Section 63 inserts into the 1954 Act new sections 34B and 34C. Section 34B provides that the court may order the tenant to pay compensation to the landlord in certain circumstances in England and Wales, and new section 34C makes supplementary provision in relation to that compensation.

Section 64 makes equivalent provision for Northern Ireland by inserting Articles 18B and 18C into the 1996 Order. Article 18B provides that the court may order the tenant to pay compensation in certain circumstances in Northern Ireland, and new Article 18C makes supplementary provision in relation to that compensation.

Regulations 3 and 6 define a relevant current tenancy as a subsisting agreement within the meaning of Schedule 2 of the Digital Economy Act 2017 (c. 30) ("the 2017 Act") where the primary purpose of the tenancy is to confer code rights and the tenancy falls under the 1954 Act or the 1996 Order respectively.

Regulation 4 provides that the amendments made by sections 61 and 63 of the 2022 Act do not apply to a relevant current tenancy in England and Wales where the date specified in the notice falls before the day on which those sections come into force. The operation of the saving provision is unaffected by an agreement extending time limits under section 29B of the 1954 Act.

Regulation 5 makes transitional provision in respect of the amendments made to the 1954 Act by sections 61 and 63 of the 2022 Act as they relate to the determination of pre-commencement and post-commencement interim rent. The pre-commencement period begins with the appropriate date and ends with and includes 6th April 2026.

Regulation 7 provides that the amendments made by sections 62 and 64 of the 2022 Act do not apply to a relevant current tenancy in Northern Ireland where the date specified in the notice falls before the day on which those sections come into force.

Regulation 8 makes transitional provision in respect of the amendments made to the 1996 Order by sections 62 and 64 of the 2022 Act as they relate to the determination of pre-commencement and post-commencement interim rent and what the Lands Tribunal considers proper in all the circumstances for the purposes of an order under Article 11(3) of the 1996 Order.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

A de minimis assessment was produced in relation to the provisions of the Act, a copy of which is available at https://bills.parliament.uk/publications/46572/documents/1826 or from the Department for Science, Innovation and Technology at 100 Parliament Street, London SW1A 2BQ, United Kingdom.

The Explanatory Notes to the 2022 Act provide further explanation of the reforms to the code, the 1954 Act and the 1996 Order introduced by the 2022 Act and are available online (https://www.legislation.gov.uk/ukpga/2022/46/notes/division/1/index.htm) and in hard copy from TSO, PO Box 29, Norwich, NR3 1GN (telephone orders/general enquiries: 0333 202 5070).

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Product Security and Telecommunications Infrastructure Act 2022 have been brought into force by commencement Regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Part 1 (so far as not already in force)	29th April 2024	2023/469
Section 57	7th February 2023	2023/109
Section 58	17th April 2023	2023/109
Section 59	17th April 2023	2023/109
Section 60	7th February 2023	2023/109
Section 66	26th April 2023	2023/469
Section 68	7th November 2023	2023/1022
Section 69	7th November 2023	2023/1022
Section 75	7th February 2023	2023/109

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