EXPLANATORY MEMORANDUM TO

THE TERRORISM (PROTECTION OF PREMISES) (NOTIFICATION REQUIREMENTS) REGULATIONS 2026

2026 No. 793

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

1.2 This Memorandum contains information for the Secondary Legislation Scrutiny Committee.

2. Declaration

2.1 Dame Angela Eagle, Minister of State for Security at the Home Office and Cabinet Office, confirms that this Explanatory Memorandum meets the required standard.

2.2 Shaun Hipgrave, Director for Protect and Prepare at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 The Martyn's Law Team at the Home Office can be contacted by email at the following address with any queries regarding the instrument: martynslaw@homeoffice.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument will introduce Regulations which will specify the information to be provided to the Security Industry Authority (SIA) when a person becomes, or ceases to be, responsible for premises and events in scope of the Terrorism (Protection of Premises) Act 2025 ('the Act'), along with the required timescales and form of notification. Under the Act, the SIA is the body responsible for enforcement, investigations, and other regulatory activity. This instrument is required as otherwise responsible persons for qualifying premises and qualifying events under the Act would not know what, when, and how to notify the SIA. The Government has committed to a minimum implementation period of 24 months from Royal Assent on 3 April 2025 before any requirements of the Act may commence. These Regulations will come into force when the requirements of section 9 of the Act commence.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the statement forms part of the law of) is England and Wales, Scotland and Northern Ireland.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales, Scotland and Northern Ireland.

5. Policy Context

What is being done and why?

5.1 The Act, more commonly known as Martyn's Law, establishes requirements for those responsible for publicly accessible premises and events in scope of the Act to keep the public safe in the event of a terrorist attack. These requirements include a statutory duty for persons who become, or cease to be, responsible for premises and events in scope to notify the SIA by the required time. The Act does not specify the information to be contained in the notification, the definition of "the required time", or how notifications should be made. However, it did provide powers for the Secretary of State to specify by Regulations further matters to be notified to the SIA, the time by which a notification must be made, and the form and manner of notifications.

5.2 This instrument will specify the information which must be shared with the SIA as part of the notification, by which time, and in what form. This instrument will provide the necessary operational detail to support accurate and timely notifications. It will enable the development of a digital notifications system by the SIA to allow responsible persons under the Act to notify in a consistent manner. This system will be operational in time for when the relevant provisions of section 9 come into force. The Government has committed to an implementation period of at least 24 months following Royal Assent, so these provisions will not come into force until after 3 April 2027 at the earliest. The instrument requires the provision of information which will support the SIA in exercising its regulatory functions in a targeted and risk-based way, in line with the principles of good regulation and the Regulators' Code.

5.3 The instrument will contribute to effective regulation of the Act's objective to improve protective security across the UK. The notification framework is an important requirement in the Act, without which the SIA cannot effectively identify those in scope and target its regulatory activity accordingly.

What was the previous policy, how is this different?

5.4 Prior to the laying of this instrument, section 9 of the Act legislated for who must notify, the scenarios in which they must notify, and when they must notify ("the required time") the Security Industry Authority, without further defining the required time. It was left to Regulations to further explain the information which must be provided, how this information must be notified, who may provide the information in this form, and the "required time" in which the SIA must be notified.

5.5 This instrument defines the "what", the "how", and the "when" of notifications to the SIA. The Regulations require all responsible persons for qualifying premises and qualifying events to provide their details and details for others with control of qualifying premises or qualifying events to any other extent, as well as information about the qualifying premises or qualifying event. This includes whether the premises or events have (or have applied for) particular licences, certificates, or permissions, whether the responsible person is responsible for other qualifying premises or qualifying events, and details about the person notifying (if different to the responsible person). The notification must also set out the greatest number of individuals expected to be present on the qualifying premises or at the qualifying event at the same time and the method by which this figure has been calculated.

5.6 Responsible persons for qualifying premises must confirm that their premises meet the definition to be qualifying premises, the relevant use of those premises, whether the premises are a group of buildings, details of buildings forming the premises (such as postal address), whether the qualifying premises form part of larger premises, and

whether the premises have outdoor seating. Those responsible for enhanced tier premises and qualifying events must, in addition, notify details of the senior individual (if applicable), and confirmation that the senior individual or the responsible person understands their duties regarding the compliance document. Responsible persons for qualifying events must, furthermore, provide relevant dates and times relating to the event, details of the event including a brief description, whether it forms part of a larger event, details of the premises where the event is held (if applicable), whether the responsible person has held a similar event in the past, whether the event is expected to be repeated in the future, and the date on which the event was first publicised.

5.7 Responsible persons must also notify when they cease to be the responsible person, and when information previously notified has become inaccurate. The required time for notifications varies depending on matters such as whether the notification relates to qualifying premises or a qualifying event and whether the notification relates to information previously provided, which is now inaccurate. The format of notification is via the SIA's digital system.

6. Legislative and Legal Context

How has the law changed?

6.1 The Act received Royal Assent on 3 April 2025. Section 9 of the Act provides the legislative framework for notifications to be provided to the SIA, in support of their regulatory function. In particular, sub-sections (1) and (2) provide that a person who becomes responsible for qualifying premises or a qualifying event, or who ceases to be responsible, must notify the SIA within "the required time". Subsection (4) provides for the SIA to be notified "by the required time", where information previously provided to them under subsections (1)-(3) ceases to be accurate, and the person who gave the notification is still the responsible for the premises or event.

6.2 The Act does not define the "required time" and explicitly states that this is to be specified in Regulations (section 9(5)). Furthermore, the Act envisages that further detail would be provided to the notifications regime by way of Regulations and gave the Secretary of State the power, by virtue of section 9(3) and (5)-(8), to specify further matters relating to qualifying premises or a qualifying event that are to be notified to the SIA by the relevant responsible person, including that specified information be provided, in a specified form, in a specified manner and by when. The Secretary of State is also permitted to confer a discretion on the SIA by Regulations, in accordance with section 9(8).

6.3 The Secretary of State makes these Regulations in exercise of the aforementioned powers, which were commenced on Royal Assent. This is the first time that these powers have been used.

6.4 Regulation 3 defines the "required time" for the purposes of the relevant parts of section 9. Without this detail, responsible persons would not know by when such notifications should be provided to the SIA. Regulation 4 clarifies who may make notifications under section 9. Regulation 5 and the accompanying Schedule detail information to be included in the notifications to the SIA and how the information is to be provided. This Regulation also includes a discretion for the SIA to request additional information, which is necessary to enable it to perform its functions under the Act. Regulation 6 makes the person responsible for the qualifying premises or qualifying event responsible for correcting any information notified to the SIA which

has ceased to be accurate. Regulation 7 requires the Secretary of State to carry out a review of the regulatory provision made by this instrument.

Why was this approach taken to change the law?

6.5 This is the only possible approach to make all the necessary changes. The Act states that the "required time" is the time specified in Regulations. Moreover, the Regulations confer a discretion on the SIA in Regulation 5, to request additional information which is reasonably necessary to enable it to perform its functions under the Act. Section 9(8) provides that this can be done by Regulations. Such a power cannot be conferred through guidance or other non-legislative means.

7. Consultation

Summary of consultation outcome and methodology

7.1 No formal consultation was undertaken specific to this instrument, as it serves to define an existing requirement in section 9 of the Act. However, the Home Office did undertake informal consultation with the Devolved Governments of Scotland, Wales, and Northern Ireland to ensure that the instrument is necessary and sufficiently caters for shared objectives.

7.2 Two formal public consultations were undertaken on the Terrorism (Protection of Premises) Act 2025 (formerly "Bill"). Both consultations covered requirements for responsible persons, which include the requirement for a responsible person of qualifying premises or a qualifying event to notify the SIA. During passage of the Bill, Government Departments and stakeholders consulted included: the security industry, retail, charitable and civil society, visitor attractions, events, finance and insurance, sports, hospitality, faith groups, entertainment, small and medium enterprises, education, health, transport, local government, and victims' groups (including the Martyn's Law Campaign Team). Over 100 stakeholder engagement events linked directly to the two public consultations took place, as well as several hundred stakeholder engagement events and group discussions linked to the drafting of the Bill. There were 2,755 responses to the first consultation in 2021, and 1,981 responses to the consultation in 2024. Feedback from consultation was positive and constructive. In relation to the requirements of the Act, including the notification requirement, accountability was considered to be a cornerstone. The Government consultation responses can be found on GOV.UK.[1]

7.3 The Government committed to an implementation period of at least 24 months from Royal Assent on 3 April 2025 before the Act will come into effect. During this implementation period, a further targeted consultation exercise was conducted in relation to statutory guidance published under section 27 of the Act. This guidance refers to the notification requirement broadly, setting out that technical details of how to notify will be specified in Regulations. These Regulations provide the necessary detail, as described previously in this Memorandum.

7.4 The Home Office completed a targeted consultation on this guidance document with sector leads and associations to ensure coverage of Schedule 1 qualifying uses, Government Departments, and operational partners. This consultation took place over a period of three months. Home Office officials analysed the feedback received and amended the section 27 guidance accordingly, or, where they did not, had a clear rationale for not doing so. In response to consultation feedback, the statutory guidance

[1] https://www.gov.uk/government/consultations/protect-duty/outcome/government-response-document; https://www.gov.uk/government/consultations/martyns-law-standard-tier-consultation

was revised substantially to improve clarity, consistency and usability. Some of the actions taken include: to support readability, summary boxes and checklists were introduced at the beginning and end of each chapter; the former single chapter on requirements was divided into two to distinguish more clearly between those applying to standard tier and enhanced tier premises; and the Government is exploring separately consultees' expressed interest in additional non-statutory materials to support understanding of the legislation. Further information on the consultation responses can be found on GOV.UK.[2]

7.5 There is a statutory requirement to keep this guidance under review. In addition, the online notification portal is currently being developed in line with Government Digital Service Standards for building effective and user-centred digital services, and the Government has developed a monitoring and evaluation programme for the legislation. This will enable better understanding of how the guidance is implemented in practice and collect feedback and learning from end users for future use. A post-implementation review will be undertaken, and this will assess whether the legislation delivers the Government's policy objectives. The Government's intention is that the review will be conducted, at most, within five years of commencement.

8. Applicable Guidance

8.1 The statutory guidance required by section 27 of the Act, which encompasses a section on the notification requirement, was published on 15 April 2026 on GOV.UK, ahead of the laying of this instrument.[3] In line with the principles of good regulation, the Home Office will publish supplementary non-statutory guidance to further clarify these Regulations outside of this Explanatory Memorandum at the time of laying. The SIA will also publish statutory guidance under section 12 of the Act before the Regulations contained in this instrument come into force. The SIA conducted a public consultation on this guidance between April and June 2026. The Terrorism (Protection of Premises) Act 2025 itself serves as further relevant information on the requirement to notify.[4]

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 An Economic Note is submitted and published alongside the Explanatory Memorandum on the legislation.gov.uk website. A full Impact Assessment of the Terrorism (Protection of Premises) Act 2025 was published on 16 July 2024 and may be found on GOV.UK.[5] This considered the impact of the Act as a whole, of which the requirement to notify was a constituent part. A full Impact Assessment has not been prepared for this instrument because the cost to business falls below the de minimis threshold for a full Impact Assessment of £10m (equivalent annual net cost to business). Over the ten-year appraisal period, the main costs include administrative costs to businesses to complete notifications, estimated at £1.73 million to £6.40

[2] https://www.gov.uk/government/news/martyns-law-guidance-published-to-help-businesses
[3] https://www.gov.uk/government/news/martyns-law-guidance-published-to-help-businesses
[4] https://www.legislation.gov.uk/ukpga/2025/10/contents
[5] https://www.gov.uk/government/publications/terrorism-protection-of-premises-bill-2024-impact-assessment/terrorism-protection-of-premises-bill-impact-assessment-accessible#impact-assessment-the-home-office; https://www.gov.uk/government/publications/terrorism-protection-of-premises-bill-2024-impact-assessment/terrorism-protection-of-premises-bill-impact-assessment-accessible#impact-assessment-the-home-office

million (central estimate of £3.39 million), staffing costs of the SIA helpdesk function, estimated at £2.85 million to £3.13 million (central estimate of £2.99 million), and the cost of building and operating the online notifications portal, estimated at £23.98 million to £34.90 million (central estimate of £29.44 million), expressed in 2026/27 prices and present value terms. No monetised benefits are identified, though improved identification of in-scope premises and events is expected to support more targeted, risk-based regulation and more efficient use of SIA resources.

Impact on businesses, charities and voluntary bodies

9.2 The impact on business, charities and voluntary bodies is de minimis. This is because this instrument further defines an existing notification requirement set out in section 9 of the Act. The additional impact set by these Regulations does not meet the de minimis cost threshold for a full Impact Assessment. The amount of time required for responsible persons for qualifying premises and qualifying events to complete the notifications process would need to be approximately 14 hours before the de minimis threshold were breached and a full Impact Assessment were required. The estimated time commitment per qualifying premises or qualifying event is significantly below this at approximately 0.6 hours.

9.3 The legislation does impact small or micro businesses, although there are not expected to be distributional impacts by business size.

9.4 The obligation to notify is placed on all responsible persons of premises and events in scope, and the information to be provided is dependent on the number of individuals that can reasonably be expected at the premises or event at the same time, as well as other variables.

9.5 The criterion for qualifying premises to reasonably expect 200 or more individuals to be present on the premises at the same time, from time to time, means many small and micro businesses are out of scope of the notification requirements.

9.6 To minimise the impact of the requirements on small or micro businesses (employing up to 50 people), the approach was taken not to exempt small and micro businesses from the requirements of the Regulations, where they are in scope of the Act. This approach could not be taken because premises that can reasonably expect 200 or more individuals to be present at the same time, from time, and fulfil the other criteria to be in scope of the Act as qualifying premises, will be subject to the requirements of the Act. The public protection objectives of the Act are to ensure that appropriate and reasonably practicable procedures and measures are in place to improve protective security. These are not intended to be unduly burdensome.

9.7 These requirements include the notification requirement, which this instrument further defines. By nature of the Act, some small and microbusinesses may be in scope of the notification requirement and may be impacted over the ten-year appraisal period of the Economic Note through administrative opportunity costs to businesses completing statutory notifications.

9.8 The impact on the public sector is not disproportionate to the impact on the private sector. The Regulations apply equally to the public sector and the private sector. The requirement to notify is the same for premises and events in scope in both the public sector and the private sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring both the provisions of this instrument and the Act is to undertake a post-implementation review to assess whether the legislation delivers the Government's policy objectives. The Government's intention is that the review will be conducted within five years of commencement. This approach aligns with the usual timeframes for a review, and the Government's approach will give sufficient time for both the provisions of the Act and this instrument to embed, and for the required monitoring and evaluation activity to take place.

10.2 A statutory review clause is included in the instrument.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").