
DRAFT STATUTORY INSTRUMENTS

2016 No.

The Pubs Code etc. Regulations 2016

PART 6

Market rent only option: procedure to be followed in connection with an offer

Failure to acknowledge the tenant's notice, provide a full response etc.

32.—(1) This regulation applies where a pub-owning business has received an MRO notice.

(2) Where—

- (a) the pub-owning business does not send a full response under regulation 29(3) or (4) within the period of response;
- (b) the tied pub tenant considers that the pub-owning business's full response does not comply with other requirements of regulation 29; or
- (c) the tied pub tenant disagrees with the pub-owning business's statement under regulation 29(4)(a),

the tenant or the pub-owning business may refer the matter to the Adjudicator⁽¹⁾.

(3) Where the tied pub tenant or the pub-owning business intends to make a referral under paragraph (2), the tenant and the pub-owning business must notify each other, in writing, of their intention to do so before the referral is made.

(4) Where the matter is referred to the Adjudicator in the circumstances described in paragraph (2) (a) to (c), the referral must be made within the period of 14 days beginning with the day after the end of the period of response.

⁽¹⁾ Section 72(1) of SBEEA 2015 defines "the Adjudicator".