
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

Arrangements during the MRO procedure: rent etc

- 28.**—(1) Where a tied-pub tenant gives an MRO notice, the pub-owning business must not—
- (a) exercise any right to recover any rent, or money payable in lieu of rent, which subsequently becomes payable under the tenancy or licence if and to the extent that it is payable at a higher rate than was payable when the notice was given; or
 - (b) exercise any right to—
 - (i) make subject to a product or service tie any product or service that was not subject to such a tie at when the notice was given, or
 - (ii) disapply a product or service tie from a product or service that was subject to such a tie when the notice was given.
- (2) Paragraph (1) does not apply where—
- (a) the MRO notice states that the event specified in regulation 26 has occurred; and
 - (b) the tied pub is occupied under a protected 1954 Act tenancy.
- (3) Paragraph (1) ceases to apply at the end of the MRO procedure if the tied pub tenant and the pub-owning business have not by then agreed a market rent only option.