



Commercial Rent (Coronavirus) Act 2022

2022 CHAPTER 12

PART 1

INTRODUCTORY PROVISIONS

4 “Adversely affected by coronavirus”

- (1) A business tenancy was “adversely affected by coronavirus” for the purposes of section 3(2)(a) if, for any relevant period—
 - (a) the whole or part of the business carried on by the tenant at or from the premises comprised in the tenancy, or
 - (b) the whole or part of those premises, was of a description subject to a closure requirement.
- (2) For this purpose—
 - (a) “closure requirement” means a requirement imposed by coronavirus regulations which is expressed as an obligation—
 - (i) to close businesses, or parts of businesses, of a specified description, or
 - (ii) to close premises, or parts of premises, of a specified description; and
 - (b) “relevant period” means a period beginning at or after 2 p.m. on 21 March 2020 and ending at or before—
 - (i) 11.55 p.m. on 18 July 2021, for English business tenancies, or
 - (ii) 6 a.m. on 7 August 2021, for Welsh business tenancies.
- (3) A requirement expressed as an obligation to close businesses or premises of a specified description, or parts of businesses or premises of a specified description, every day at particular times is to be regarded for the purposes of subsection (2)(a) as a closure requirement.
- (4) It is immaterial for the purposes of subsection (2)(a) that specific limited activities were (as an exception) allowed by the regulations to be carried on despite the obligation to close (and accordingly the fact they were permitted or carried on is

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to be disregarded in determining whether the tenancy was adversely affected by coronavirus).

- (5) Where the premises comprised in the tenancy were occupied by the tenant for the purposes of a business not carried on solely at or from those premises, the reference in subsection (1)(a) to the business carried on at or from the premises is to so much of the business as was carried on at or from the premises.
- (6) In this section “coronavirus regulations” means regulations—
- (a) made under section 45C of the Public Health (Control of Disease) Act 1984 (whether or not also made under any other power), and
 - (b) expressed to be made in response to the threat to public health posed by the incidence or spread of coronavirus.

Commencement Information

II S. 4 in force at Royal Assent, see [s. 31\(4\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Commercial Rent (Coronavirus) Act 2022, Section 4.