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## STATUTORY INSTRUMENTS

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# 2015 No. 1693

## The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

### PART 2

#### Prescribed alarms

##### Meaning of “relevant landlord”

- 3.—(1) For the purposes of these Regulations, a landlord is a “relevant landlord” if the landlord—
- (a) is the immediate landlord in respect of a specified tenancy; and
  - (b) is not a registered provider of social housing (as to which see section 80(2) of the Housing and Regeneration Act 2008<sup>(1)</sup>).
- (2) In paragraph (1) “immediate landlord”—
- (a) where the premises are occupied under a specified tenancy which is not a licence means the person for the time being entitled to the reversion expectant on that tenancy; and
  - (b) where the premises are occupied under a specified tenancy which is a licence means the licensor, except that where the licensor himself or herself occupies the premises under a specified tenancy which is not a licence, it means the person for the time being entitled to the reversion expectant on that tenancy.

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##### Commencement Information

- II** Reg. 3 in force at 1.10.2015, see [reg. 1\(1\)](#)

##### Duties of relevant landlord in relation to prescribed alarms

- 4.—(1) A relevant landlord in respect of a specified tenancy must ensure that—
- (a) during any period beginning on or after 1st October 2015 when the premises are occupied under the tenancy—
    - (i) a smoke alarm is equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation;
    - (ii) a carbon monoxide alarm is equipped in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and
  - (b) checks are made by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy.

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(2) For the purposes of paragraph (1)(a), a bathroom or lavatory is to be treated as a room used as living accommodation.

(3) For the purposes of paragraph (1)(b), a tenancy begins on the day on which, under the terms of the tenancy, the tenant is entitled to possession under that tenancy.

(4) In this regulation—

“new tenancy” means a tenancy granted on or after 1st October 2015, but does not include—

- (a) a tenancy granted in pursuance of an agreement entered into before that date;
- (b) a periodic shorthold tenancy which arises under section 5 of the Housing Act 1988<sup>(2)</sup> on the coming to an end of a fixed term shorthold tenancy;
- (c) a tenancy which comes into being on the coming to an end of an earlier tenancy, under which, on its coming into being—
  - (i) the landlord and tenant are the same as under the earlier tenancy as at its coming to an end; and
  - (ii) the premises let are the same or substantially the same as those let under the earlier tenancy as at that time;

“room” includes a hall or landing; and

“shorthold tenancy” means an assured shorthold tenancy within the meaning of Chapter 2 of Part 1 of the Housing Act 1988.

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**Commencement Information**

**I2** Reg. 4 in force at 1.10.2015, see [reg. 1\(1\)](#)

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(2) [1988 c. 50](#). Section 5 was amended by the Housing and Regeneration Act [2008 \(c. 17\)](#), Schedule 11, Part 1, paragraphs 5, 6(1), (2) and (3), and by the Housing Act [2004 \(c. 34\)](#), section 222(1), (2).

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**Changes and effects yet to be applied to :**

- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 6A inserted by [S.I. 2022/707 reg. 12](#)
- reg. 1(3) inserted by [S.I. 2022/707 reg. 3\(2\)](#)
- reg. 4(1)(c) and word inserted by [S.I. 2022/707 reg. 5\(a\)\(iv\)](#)
- reg. 4(3A) inserted by [S.I. 2022/707 reg. 5\(b\)](#)
- reg. 5(4)-(7) inserted by [S.I. 2022/707 reg. 6](#)
- reg. 6(1A) inserted by [S.I. 2022/707 reg. 7\(b\)](#)
- reg. 6(3) inserted by [S.I. 2022/707 reg. 7\(d\)](#)
- reg. 7(6) inserted by [S.I. 2022/707 reg. 8\(c\)](#)
- reg. 16 inserted by [S.I. 2022/707 reg. 11](#)