
STATUTORY INSTRUMENTS

2020 No. 312

**The Electrical Safety Standards in the Private
Rented Sector (England) Regulations 2020**

PART 3

Remedial action

Power of local housing authority to arrange remedial action

6.—(1) Where a local housing authority is satisfied, on the balance of probabilities, that a private landlord on whom it has served a remedial notice is in breach of the duty under regulation 5(1), the authority may, with the consent of the tenant or tenants of the premises in relation to which the remedial action is to be taken, arrange for an authorised person to enter those premises to take the remedial action specified in the remedial notice.

(2) Before the remedial action is taken the local housing authority must serve a notice on the private landlord specifying—

- (a) the premises in relation to which the remedial action is to be taken by the authorised person under paragraph (1) and the nature of that remedial action;
- (b) the power under which the remedial action is to be taken by the authorised person in paragraph (1);
- (c) the date when the remedial action will be taken by the authorised person; and
- (d) the right of appeal under regulation 7 against the decision of the authority to arrange for an authorised person to take the remedial action.

(3) The local housing authority must arrange for an authorised person to take the remedial action within 28 days of—

- (a) the end of the notice period in regulation 7(3) where there is no appeal; or
- (b) an appeal decision that confirms or varies the decision of the local housing authority where there is an appeal.

(4) An authorised person must—

- (a) give not less than 48 hours' notice of the remedial action to the tenant or tenants of the residential premises on which it is to be taken; and
- (b) if required to do so by or on behalf of the private landlord or tenant or tenants, produce evidence of identity and authority.

Commencement Information

II [Reg. 6](#) in force at 1.6.2020, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, Section 6.