

SCHEDULE 2

Amendment of the Pubs Code etc. Regulations 2016

Amendment of regulation 39 (end of the MRO procedure)

14.—(1) Regulation 39 is amended as follows.

(2) For paragraph (4)(c) substitute—

“(c) where—

- (i) the referral period specified in regulation 35(5) ends;
- (ii) the tied pub tenant does not, before or during that period, communicate to the pub-owning business, in writing, a decision to accept a tenancy or licence proposed by the pub-owning business;
- (iii) the tenant does not make a reference under regulation 35 in relation to the proposed MRO rent; and
- (iv) the time allowed under that regulation for making such a reference has expired, on the day on which the referral period ends;”.

(3) In paragraph (4)(e) for “Adjudicator’s ruling” substitute “Adjudicator’s or appointed person’s ruling or, if later, the day after the day on which any further right of referral under regulation 32(2) ends”.

(4) After paragraph (4)(g) insert—

“;

- (h) where the pub-owning business sends a full response under regulation 29(4) and the tied pub tenant has not made a referral under regulation 32(2) in respect of it, the day after the day on which the period specified under regulation 32(5) ends.”.