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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

The Smoke and Carbon Monoxide  
Alarm (England) Regulations 2015

PART 1

Introduction

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 and come into force on 1st October 2015.

(2) These Regulations apply to England only.

**Interpretation**

2.—(1) In these Regulations—

“authorised person” means a person authorised in writing by the local housing authority for the purpose of taking remedial action under regulation 7;

“building” includes part of a building;

“penalty charge” means a monetary penalty imposed under regulation 8;

“premises”(1) does not include vehicles or vessels or—

(a) an HMO (as defined in section 77 of the Housing Act 2004) in respect of which a licence is required under Part 2 of that Act, or

(b) a house (as defined in section 99 of that Act) in respect of which a licence is required under Part 3 of that Act;

“prescribed alarm” means an alarm which is required to be equipped at residential premises under regulation 4(1)(a);

“remedial action” means action—

(a) to install a prescribed alarm;

(b) to repair a prescribed alarm; or

(c) to check a prescribed alarm is in proper working order;

“remedial notice” means a notice requiring the landlord on whom it is served to take such remedial action as is specified in the notice in accordance with regulation 5(2)(c);

“rent” includes any sum paid in the nature of rent;

“residential premises”(2) means premises (as defined above) all or part of which comprise a dwelling; and

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(1) See the definition of “premises” in s. 150(10) of the Energy Act 2013.

(2) This definition repeats the definition of “residential premises” in s. 150(10) of the Energy Act 2013 but modifies it so that the narrower definition of “premises” in these Regulations applies.

“specified tenancy” means a tenancy<sup>(3)</sup> of residential premises in England which—

- (a) grants one or more persons the right to occupy all or part of the premises as their only or main residence;
- (b) provides for payment of rent (whether or not a market rent); and
- (c) is not a tenancy of a description specified in the Schedule to these Regulations.

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(3) See the definition of “tenancy” in s. 150(10) of the Energy Act 2013.