Commercial Property Compliance

Legislative Update Report — September 2026

Prepared for: Henry Penn | Review date: 21 September 2026 | Sourcing: UK Government, HSE, Law Commission, SIA and chartered institutes only — no law-firm commentary.

Overview

This report summarises the September 2026 legislative currency review of the Commercial Property Compliance Checklist. The review checked each piece of UK legislation on the checklist for amendments, repeals, replacements or newly proposed changes, and added a forward-looking scan of pending reforms. Every finding below is sourced only to primary UK government, quango (HSE, Law Commission, SIA) or chartered-institute publications, per the sourcing standard now applied to this checklist and its monthly refresh.

Confirmed Legislative Changes

Nine items on the checklist have a genuine, officially-sourced update. Each has been noted against its row in the Compliance Checklist tab.

Legislation	What Changed	Key Date	Source
Working Time Regulations 1998	Employment Rights Act 2025 s.35 inserts a statutory duty to keep holiday-entitlement records (6-year retention). Fair Work Agency established, but holiday-pay enforcement powers phase in later.	Duty in force 6 Apr 2026. FWA established 7 Apr 2026; enforcement not before Apr 2027.	legislation.gov.uk (ERA 2025 s.35); GOV.UK, Fair Work Agency delivery plan 2026-27
Equality Act 2010	Worker Protection (Amendment) Act 2023 duty to take "reasonable steps" to prevent sexual harassment strengthens to "all reasonable steps".	Reasonable steps duty in force 26 Oct 2024; strengthens 30 Oct 2026.	legislation.gov.uk; GOV.UK factsheet on the 'reasonable steps' power
Defective Premises Act 1972	Building Safety Act 2022 s.135 extends the limitation period for defect claims.	30 years retrospective / 15 years prospective, in force from 28 Jun 2022.	legislation.gov.uk, Building Safety Act 2022 s.135
Landlord and Tenant Act 1954	Law Commission second consultation, 'Business Tenancies: the right to renew' — provisional view keeps security of tenure but raises the short-lease exemption threshold. Still a proposal.	Consultation published 16 Jun 2026; responses closed 16 Sep 2026.	Law Commission, lawcom.gov.uk
Energy Efficiency (Private Rented Property) Regs 2015 (MEES)	DESNZ interim response proposes an EPC B target by 2031 for non-domestic PRS buildings over 1,000 sqm (where cost-effective), dropping the earlier EPC C by 2027 milestone. Current legal minimum remains EPC E.	Interim response published 18 Jun 2026. Not yet in secondary legislation.	GOV.UK / DESNZ, MEES non-domestic PRS consultation outcome
Energy Performance of Buildings Regs 2012	DESNZ consultation on multi-metric EPCs (fabric / heating / cost / smart-readiness) and shorter certificate validity.	Consultation ran 4 Dec 2024–26 Feb 2025; changes expected from Oct 2026, subject to Parliament.	GOV.UK / DESNZ, Energy Performance of Buildings Regulations consultation
Building Regs / Fire Safety Order	Government response to Grenfell Inquiry Phase 2 (49 of 58	Government response 26 Feb 2025. Second-	legislation.gov.uk SI 2025/797; gov.wales mirror of

/ Fire Safety (England) Regs 2022	recommendations accepted in full, 9 in principle). Second-staircase requirement for residential buildings over 18m. New Fire Safety (Residential Evacuation Plans) (England) Regulations 2025 (SI 2025/797) amend the 2022 Regulations.	staircase transitional deadline 30 Sep 2026. SI 2025/797 in force 6 Apr 2026.	government statement (England/MHCLG original not independently located – verify directly on GOV.UK)
Control of Asbestos Regulations 2012	HSE consultation on an independent clearance analyst requirement and removing the NNLW category. Outcome pending.	Consultation ran 10 Nov 2025–9 Jan 2026.	HSE, consultations.hse.gov.uk
RIDDOR 2013	HSE consultation on reporting rule changes. Outcome pending.	Consultation ran 7 Apr–30 Jun 2026.	HSE, press.hse.gov.uk / consultations.hse.gov.uk

New Item Added: Martyn's Law

The Terrorism (Protection of Premises) Act 2025 ("Martyn's Law") was not previously on the checklist and has been added under Building & Fire Safety. It received Royal Assent on 3 April 2025 and creates new security and preparedness duties for premises with public access — a standard tier for capacity of 200–799 and an enhanced tier for 800+, regulated by the Security Industry Authority (SIA). Commencement is expected around Spring 2027 (roughly 24 months after Royal Assent). Whether this property falls into scope depends on its public-access capacity, which is a property-specific judgement for the user to make.

Horizon Scan — Legislation to Watch

Seven proposals or consultations are not yet in force but are worth tracking, since a decision or commencement date could move any of them onto the main checklist. These are tracked on the checklist's dedicated Horizon Scan tab and re-checked monthly.

Item	Status	Key Date / Timing	Source
Landlord and Tenant Act 1954 reform	Consultation closed	Closed 16 Sep 2026; report/bill timing not yet set	Law Commission
MEES – EPC B target for commercial lets	Proposed, not law	Interim response 18 Jun 2026; target year 2031	GOV.UK / DESNZ
EPC methodology overhaul	Consultation closed, decision pending	Changes expected from Oct 2026	GOV.UK / DESNZ
Control of Asbestos Regs 2012 amendments	Consultation closed, outcome pending	Closed 9 Jan 2026	HSE
RIDDOR reporting rule changes	Consultation closed, outcome pending	Closed 30 Jun 2026	HSE
Fire Safety Order further reform	Accepted in principle, not yet legislated	Government response 26 Feb 2025	gov.wales mirror (verify on GOV.UK)
Martyn's Law commencement	Enacted, not yet in force	Royal Assent 3 Apr 2025; commencement expected Spring 2027	GOV.UK / SIA

Corrections Made During Official-Source Verification

An initial pass of this research drew on law-firm client alerts. Re-verifying every claim against primary sources surfaced two corrections and one sourcing gap:

- Equality Act 2010: the "all reasonable steps" strengthening takes effect 30 October 2026, not 1 October 2026 as first reported.

- Working Time Regulations 1998: the Fair Work Agency was established on 7 April 2026, but its own delivery plan states holiday-pay enforcement powers will not start before April 2027 — softened from an earlier claim of immediate enforcement.
- Fire Safety Order reform (Grenfell Inquiry Phase 2 response): the 49-of-58-recommendations figure and 26 February 2025 date could only be confirmed via the Welsh Government's mirror statement, not a GOV.UK/MHCLG page for England directly — flagged in the checklist for independent verification rather than presented as fully confirmed.

Ongoing Monitoring

A scheduled task now re-runs this legislative review on the 1st of every month at 8:00 AM, restricted to the same UK government / quango / chartered-institute sourcing standard. Each run refreshes the dated notes on the Compliance Checklist tab and updates the Horizon Scan tab as pending items progress, come into force, or are superseded.

Disclaimer

This report and the underlying checklist provide general legislative-currency information only. They are not exhaustive and do not constitute legal advice. Applicability depends on the specific property's type, use, occupancy and location (requirements can differ across England, Wales, Scotland and Northern Ireland). Consult a qualified health & safety consultant or solicitor to confirm compliance obligations for a specific building.