



Pubs Code
Adjudicator

What Tied Pub Tenants Need to Know

**Code avoidance and reports to the
Secretary of State**



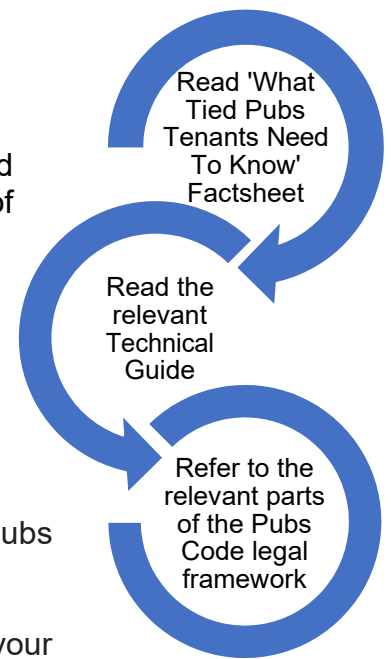
How to use this factsheet:

This factsheet is for tied pub tenants who want to know more about provisions relating to Code avoidance by pub-owning businesses and what will happen if the PCA reports such practices to the Secretary of State.

It provides information to support tenant understanding. It is not a substitute for the Pubs Code legal framework.

You can find [technical guides](#) on our website which provide more detailed information about the Pubs Code provisions. We recommend that you refer to these guides if you would like more information and/or are considering accessing your rights under the Pubs Code.

Our website also contains other useful information about accessing your Pubs Code rights: www.gov.uk/pca



Terms and abbreviations

Term/abbreviation	What it means
Code	The Pubs Code etc. Regulations 2016
CCO	Code Compliance Officer. Someone employed by the POB who is suitably qualified and whose role is to verify its compliance with the Code.
PCA	Pubs Code Adjudicator
POB	Pub-owning Business (often referred to as pub companies)
TPT	Tied Pub Tenant

Unfair business practices and reports by the Pubs Code Adjudicator (PCA)

The Code places certain duties on the regulated pub-owning businesses (POBs). The PCA is responsible for overseeing compliance with the Code. This factsheet does not deal with breaches of the Code, but with what happens if in the opinion of the PCA a POB is engaging in an “unfair business practice” which is intended to avoid duties under the Code.

What is an unfair business practice?

An “unfair business practice” is a business practice a POB engages in, which **in the PCA’s opinion** is **all** of the following:

- **Designed to avoid the operation of the Code**
- **Detrimental to tied pub tenants (TPTs)**
- **Unfair**

If you have evidence indicating that a POB may be engaged in an unfair practice which is designed in order to avoid the Code and which is detrimental to TPTs, you can send this to the PCA at office@pubscodeadjudicator.gov.uk.



Where there is a dispute about whether or not a POB has complied with the Code, you may wish to contact your POB's Code Compliance Officer (CCO) and/or you may be able to refer the dispute for arbitration.

To find out more about the role of the CCO and for their contact details, please see our helpful [factsheet](#)

For **more information** about:

- **Making an arbitration referral and what may be referred** see [Technical Guide No.12](#)
- **Getting help and support** with the Pubs Code and arbitration, see our helpful [factsheet](#).

What happens if the PCA considers there is an unfair business practice?

If the PCA is satisfied that the business practice meets all three of the above criteria, the PCA will **report this to the Secretary of State**.

The report will include **recommendations as to:**

- **how to stop the POB from engaging in the unfair business practice**
- **how to provide redress for TPTs affected by the business practice**

What happens after the PCA reports an unfair business practice?

Where the PCA makes a report of an unfair business practice, the Secretary of State will issue a statement **within three months**.

That statement must say what the Secretary of State will do to protect TPTs affected by the unfair business practice.

Questions about this factsheet

For **general queries** about the information in this factsheet, you may contact our enquiry service.

Please note, we can provide information about your rights, the Code and our processes. We cannot advise you about your case.



[Complete our online enquiry form at www.gov.uk/pca](http://www.gov.uk/pca)



[Email: office@pubscodeadjudicator.gov.uk](mailto:office@pubscodeadjudicator.gov.uk)



Call **0800 528 8080** to request a call back

This factsheet provides information to support tenant understanding. It is not a substitute for the Pubs Code framework.

You may find it helpful to take independent professional advice before making any decisions that may affect you and your business.

