STATUTORY INSTRUMENTS

# 2026 No. 1005

# PREVENTION AND SUPPRESSION OF TERRORISM

## The Terrorism (Protection of Premises) (Principal Use of Premises) Regulations 2026

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| *Made - - - -* | *8th September 2026* |
| *Laid before Parliament* | *10th September 2026* |
| *Coming into force - -* | *15th October 2026* |

The Secretary of State makes these Regulations in exercise of the power conferred by section 4(3) of the Terrorism (Protection of Premises) Act 2025(**1**).

### Citation, commencement and extent

**1.**—(1) These Regulations may be cited as the Terrorism (Protection of Premises) (Principal Use of Premises) Regulations 2026.

(2) These Regulations come into force on 15th October 2026.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

### Principal use of premises

**2.**—(1) When premises are used for two or more uses specified in Schedule 1 to the Terrorism (Protection of Premises) Act 2025 ("Schedule 1 use"), the Schedule 1 use which relates most closely to the purpose and nature of the premises is to be treated as the principal use of the premises for the purposes of section 4 of that Act (persons responsible for qualifying premises or events).

(2) The factors taken into account by any person determining the purpose and nature of the premises must include—

(a) whether the premises were built or have been modified to be used for a particular Schedule 1 use;

(b) whether the premises continue to be used for that use;

(c) the physical characteristics of the premises;

(**1**) 2025 c. 10.

(d) whether the premises are treated by a local authority for the area in which the premises are situated as having, for any purpose, a particular Schedule 1 use.

(3) Where it is not possible to identify a principal Schedule 1 use under paragraphs (1) and (2), the principal use of the premises is to be determined in each case after consideration of all the relevant circumstances, including—

(a) the factors specified in paragraph (2);

(b) whether the whole of the premises, or only a part of the premises, is occupied for each use;

(c) the proportion of the premises occupied for each Schedule 1 use;

(d) the amount of time for which the premises are occupied for each Schedule 1 use, in any period which is considered to be relevant in the circumstances of the premises concerned;

(e) whether any Schedule 1 use is carried on to support another Schedule 1 use.

(4) In this regulation, "local authority" means—

(a) in England and Wales, a local authority as defined by section 270 of the Local Government Act 1972(**2**), a combined authority, a combined county authority, the Greater London Authority, the Common Council of the City of London, the Council of the Isles of Scilly, a National Park authority or the Broads Authority;

(b) in Scotland, a local authority as defined by section 235 of the Local Government (Scotland) Act 1973(**3**), or a National Park authority;

(c) in Northern Ireland, a district council within the meaning of the Local Government Act (Northern Ireland) 1972(**4**).

(5) In paragraph (4), "National Park authority" means—

(a) in relation to England and Wales, an authority established under section 63 of the Environment Act 1995(**5**);

(b) in relation to Scotland, an authority on which functions have been conferred by the National Parks (Scotland) Act 2000 in relation to an area designated as a National Park in an order made under section 7 of that Act(**6**).

*Dan Jarvis*
Minister of State
Home Office

8th September 2026

(**2**) 1972 c. 70. The definition of "local authority" has been amended by Schedule 17 to the Local Government Act 1985 (c. 51), and section 1(5) of the Local Government (Wales) Act 1994 (c. 19).

(**3**) 1973 c. 65. The definition of "local authority" was substituted by paragraph 92(66)(c) to the Local Government etc. (Scotland) Act 1994 (c. 39).

(**4**) 1972 c. 9 (N.I.).

(**5**) 1995 c. 25.

(**6**) 2000 asp 10.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision for determining which of the uses set out in Schedule 1 to the Terrorism (Protection of Premises) Act 2025 (c. 10) is to be treated as the principal use of premises subject to the requirements imposed by the Act, where the premises concerned have two or more uses described in Schedule 1.

Regulation 2(1) requires the principal use to be determined by the purpose and nature of the premises, taking into consideration the factors identified in regulation 2(2). Where this does not identify a principal use, regulation 2(3) requires all relevant circumstances to be taken into account, including the factors listed in regulation 2(2) and (3).

A full impact assessment has not been prepared for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.