

SL(6)348 – The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2023

Background and Purpose

These Regulations amend the Rent Act 1977, specifically to provide for succession to a secure contract where previously the right of succession specified an assured tenancy (assured tenancies were abolished in Wales by the Renting Homes (Wales) Act 2016).

These amendments ensure that existing provision continues by referencing the relevant Welsh occupation contracts alongside references to types of tenancies which now only exist in England.

Procedure

Draft Affirmative.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

The Minister for Climate Change wrote to the Chair of the Legislation, Justice and Constitution Committee on 3 April 2023 in relation to these Regulations. The letter states:

“Regrettably, consequential amendments to the Rent Act 1977 were not included in the Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022, which were made on 9 November and came into force on 1 December. This has left the statute book in an uncertain position which may have significant consequences for both tenants and landlords.”

Welsh Government response

A Welsh Government response is not required.



Legal Advisers
Legislation, Justice and Constitution Committee
3 May 2023



Senedd Cymru
Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad
—
Welsh Parliament
Legislation, Justice and Constitution Committee