

SL(6)730 – The Renting Homes (Model Written Statements of Contract) (Wales) (Amendments etc.) Regulations 2026

Background and Purpose

The Renting Homes (Wales) Act 2016 (the 2016 Act) established occupation contracts that apply between a tenant and their landlord in Wales. The Renting Homes (Model Written Statements of Contract) (Wales) Regulations 2022 (“the 2022 Regulations”) prescribe model written statements of contract that apply in relation to occupation contracts.

The Renters’ Rights Act 2025 (“the 2025 Act”) amends the 2016 Act in relation to discrimination in the rental market in Wales. In particular it inserts section 54A (right for children to live at or visit dwelling) and section 54B (right to claim benefits) into the 2016 Act.

These Regulations amend the 2022 Regulations to insert provisions into the model written statements of contract in relation to the rights provided in section 54A and section 54B of the 2016 Act. They also provide that section 54A of the 2016 Act (right for children to live at or visit dwelling) is not a fundamental provision applicable to a supported standard contract.

Procedure

Senedd approval procedure.

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

1. Standing Order 21.2(v) – that for any particular reason its form or meaning needs further explanation.

The draft Regulations cite sections 141(1) and (2) of the 2025 Act and sections 22(1)(b), 29(1) and 256(1) of the 2016 Act as enabling powers.

It appears to us that section 22(1)(b) of the 2016 Act is relied on in relation to regulation 4 and section 29(1) of the 2016 Act is relied on in relation to regulation 3.

In addition, section 256(1) of that Act confirms that any Welsh Ministers regulation making power in the Act includes the power to make incidental, supplementary, consequential, transitory, transitional or saving provision. Section 141(1) and (2) of the 2025 Act also contains a power for the Welsh Ministers to make provision consequential upon Part 2 of that Act, including the power to amend any enactment.



Whilst we note that Chapter 4 of Part 1 of the 2025 Act amends the 2016 Act in relation to discrimination in the rental market, and these Regulations make provision in that regard, it is not clear how section 141(1) or (2) are relied on in addition to the 2016 Act powers cited and the Welsh Ministers are asked to clarify.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Welsh Government response

A Welsh Government response is required.

Legal Advisers

Legislation, Justice and Constitution Committee

28 January 2026



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee