

MOBILE HOMES (WALES) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 - Mobile Home Agreements

Sections 49 – Particulars of agreements

105. [Section 49](#) sets out requirements for agreements. Subsection (1) provides that before making an agreement, the owner of a protected site must give a written statement to the proposed occupier under the agreement setting out those matters listed in paragraphs (a) to (e), such as the express and implied terms of the agreement. The Welsh Ministers may make regulations which specify further information that must be included in this statement.
106. Subsection (2) sets out when the written statement must be given.
107. Subsection (4) states that if an agreement includes an express term, other than a site rule, which was not set out in the written statement, the term is unenforceable by the owner (see also section 50(3)). Express terms are the terms of the agreement that a site owner has included in the agreement with an occupier. Implied terms are those under Part 1 of Schedule 2 which are implied into all agreements between occupiers and site owners.
108. Subsection (5) sets out what happens if the owner fails to give an occupier a written statement.
109. Subsections (2), (3) and (5) do not apply to a person occupying or proposing to occupy a transit pitch on a local authority Gypsy and Traveller site.