

**Changes to legislation:** Renting Homes (Wales) Act 2016, PART 2 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE 1

### OVERVIEW OF FUNDAMENTAL PROVISIONS INCORPORATED AS TERMS OF OCCUPATION CONTRACTS

#### PART 2

#### PERIODIC STANDARD CONTRACTS

##### Commencement Information

**II** Sch. 1 Pt. 2 in force at 1.12.2022 by S.I. 2022/906, art. 2

TABLE 4

| FUNDAMENTAL PROVISION | NATURE OF PROVISION   | NOTES   |
|-----------------------|---|---|
| Section 31            | Landlord (“L”) must provide contract-holder (“C-H”) with written statement of occupation contract |   |
| Sections 39 and 40    | L must provide C-H with L's name and address and other information                                |   |
| Section 41            | Notices and documents must be in writing  |   |
| Sections 43 and 45    | Payment of deposits etc. and requirement that L uses authorised deposit scheme                    | Section 45 must be incorporated without modification. |
| Section 49            | C-H may, with L's consent, add joint C-H  |   |
| Section 52            | Rights of joint C-H where another joint C-H dies or otherwise leaves contract                     | Must be incorporated without modification.            |
| Section 54            | L must not interfere with C-H's right to occupy the dwelling                                      |   |
| Section 55            | Anti-social behaviour and other prohibited conduct  | Must be incorporated without modification.            |
| Section 57            | C-H may only deal with the occupation contract in limited ways                                    |   |
| Section 88            | C-H may set off compensation L is liable to   |   |

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|--|---|--|
|  | pay under section 87 against C-H's rent   |  |
| Sections 91 to 93 and 95 to 99   | L's obligations to keep dwelling in good state of repair etc.                   |  |
| Sections 122 to 128  | When and how contract may be varied   | Sections <sup>F1</sup> 122(1)(b)] and (2) and 127 must be incorporated without modification. Section 123 applies only to contracts under which rent is payable <sup>F2</sup> and which are not housing association tenancies (as to which, see section 93 of the Rent Act 1977 (c. 42)), and section 124 applies only to contracts under which consideration other than rent is payable.<br><sup>F3</sup><br>... |
| Section 130  | Withdrawal of joint C-H   |  |
| Section 145  | L's right to temporarily exclude C-H from supported accommodation               | Applies only to supported standard contracts (see section 143).  |
| Sections 148 to 150  | General provision about termination of contract                                 | Sections 148 and 149 must be incorporated without modification.  |
| Section 151  | Further provision about notices requiring contract-holder to give up possession | Applies only to introductory standard contracts and prohibited conduct standard contracts.   |
| Sections 152 to 155  | Termination without possession claim  | Section 155 (death of C-H) must be incorporated without modification.  |
| Sections 157 to 159  | Termination by L on ground of breach of contract                                | Section 158 (false statement inducing L to make contract) must be incorporated without modification.   |
| Sections 160 and 161 and Part 1 of Schedule 8                                | Termination by L on an estate management ground                                 |  |
| Sections 168 to 172  | Termination by notice given by C-H  |  |
| <sup>F4</sup> Sections 173 to 175 and 177 to 180, and Part 1 of Schedule 9A] | Termination by notice given by L  | <sup>F5</sup> If section 173 is not incorporated, sections 174 to 177A and Schedule 9A do not apply; but if a contract incorporates section 173,   |

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|                           |   |   |
|---------------------------|---|---|
|                           |   | Part 1 of Schedule 9A must be incorporated without modification. Section 174A applies instead of section 174 to a contract that is within Schedule 8A, and section 175 does not apply to a contract that is within Schedule 9 (even if section 173 is incorporated).] |
| Sections 181 and 182      | Termination by L on serious rent arrears ground   | In section 182, subsection (2) is not applicable to introductory standard contracts and prohibited conduct standard contracts, and subsection (3) is applicable only to such contracts.   |
| Section 183               | Possession claims where contract has arisen at end of a fixed term standard contract          | Only applies to a contract that has arisen at end of a fixed term standard contract (see section 184(2)).   |
| Section 206               | Effect of order for possession  |   |
| Section 231               | Termination of contract which has joint C-Hs  |   |
| Paragraph 7 of Schedule 4 | Variation of secure contract addressed in written statement of introductory standard contract | Only applies to introductory standard contracts where the written statement addresses the secure contract that may arise at the end of the introductory period, in accordance with paragraph 6(2) of Schedule 4.  |

### Textual Amendments

- F1** Word in Sch. 1 Pt. 2 substituted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), **Sch. 6 para. 22(2)(a)(i)**
- F2** Words in Sch. 1 Pt. 2 table 4 inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Housing Association Tenancies: Fundamental Provisions\) Regulations 2022 \(S.I. 2022/799\)](#), regs. 1, **5(6)(b)** (as amended by S.I. 2022/906, arts. 1(2), 14)
- F3** Words in Sch. 1 Pt. 2 omitted (7.6.2021) by virtue of [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), **Sch. 6 para. 22(2)(a)(ii)**
- F4** Words in Sch. 1 Pt. 2 substituted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), **Sch. 6 para. 22(2)(b)(i)**
- F5** Words in Sch. 1 Pt. 2 substituted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), **Sch. 6 para. 22(2)(b)(ii)**

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**Changes and effects yet to be applied to :**

- Sch. 1 Pt. 2 words substituted by [2019 anaw 2 Sch. 3 para. 7\(a\)\(i\)](#)
- Sch. 1 Pt. 2 words substituted by [2019 anaw 2 Sch. 3 para. 7\(a\)\(ii\)](#)
- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 20(3)(ma) inserted by [2019 anaw 2 Sch. 3 para. 4\(2\)](#)
- s. 135(2)(ia) inserted by [2019 anaw 2 Sch. 3 para. 4\(3\)](#)
- s. 186A-186C inserted by [2019 anaw 2 Sch. 3 para. 4\(1\)](#)
- s. 198A inserted by [2019 anaw 2 Sch. 3 para. 5](#)