



# Mobile Homes (Wales) Act 2013

2013 anaw 6

## PART 4

### MOBILE HOME AGREEMENTS

#### 49 Particulars of agreements

- (1) Before making an agreement to which this Part applies, the owner of the protected site must give to the proposed occupier under the agreement a written statement which—
  - (a) specifies the names and addresses of the parties,
  - (b) includes particulars of the land on which the proposed occupier is to be entitled to station the mobile home that are sufficient to identify that land,
  - (c) sets out the express terms to be contained in the agreement (including any site rules),
  - (d) sets out the terms to be implied by section 50(1), and
  - (e) complies with such other requirements as may be prescribed by regulations made by the Welsh Ministers.
- (2) The written statement required by subsection (1) must be given—
  - (a) no later than 28 days before the date on which any agreement for the sale of the mobile home to the proposed occupier is made, or
  - (b) (if no such agreement is made before the making of the agreement to which this Part applies) no later than 28 days before the date on which the agreement to which this Part applies is made.
- (3) But if the proposed occupier consents in writing to that statement being given by a date (“the chosen date”) which is less than 28 days before the date mentioned in subsection (2)(a) or (b), the statement must be given to the proposed occupier not later than the chosen date.
- (4) If any express term other than a site rule—
  - (a) is contained in an agreement to which this Act applies, but
  - (b) was not set out in a written statement given to the proposed occupier in accordance with subsections (1) to (3),

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*Status: This is the original version (as it was originally enacted).*

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the term is unenforceable by the owner or any person within section 53(1); but this is subject to any order made by the appropriate judicial body under section 50(3).

- (5) If the owner has failed to give the occupier a written statement in accordance with subsections (1) to (3) the occupier may, at any time after the making of the agreement, apply to the appropriate judicial body for an order requiring the owner—
  - (a) to give the occupier a written statement which complies with paragraphs (a) to (e) of subsection (1) (read with any modifications necessary to reflect the fact that the agreement has been made), and
  - (b) to do so not later than such date as is specified in the order.
- (6) A statement required to be given to a person under this section may be either delivered to the person personally or sent to the person by post.
- (7) Any reference in this section to the making of an agreement to which this Part applies includes a reference to any variation of an agreement by virtue of which the agreement becomes one to which this Part applies.
- (8) Subsections (2), (3) and (5) do not apply in relation to a person occupying or proposing to occupy a transit pitch on a local authority Gypsy and Traveller site; and in such a case the reference in subsection (4) to subsections (1) to (3) is to be treated as a reference to subsection (1).