

*These notes refer to the Housing (Wales) Act 2014 (c.7)
which received Royal Assent on 17 September 2014*

HOUSING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 Regulation of Private Rented Housing

Section 37 – Power to require documents to be produced or information given

93. A person who has been authorised, in writing, by a licensing authority has the power to require a person to produce documents or to provide information which is reasonably required by the authority in connection with the exercise of its functions under this Part of the Act or for the purpose of enabling it to investigate whether an offence has been committed under this Part. Subsection (7) provides that a reference to a document includes information which is not in legible form (for example because it is stored on a computer server).
94. A relevant person must be given notice about the request. A “relevant person” means a person who applies for a licence, a person who has an estate or interest in a rental property, a person proposing to be involved in the letting or property management of a rental property, or a person who occupies a rental property.
95. A person can be asked to produce any documents specified or described in the notice or which falls within a category of document specified or described and which are in the person’s custody or control. They must produce them at a time, place and to a person specified in the notice, and in the form required. Documents that have legal professional privilege; for example, documents containing advice from legal professionals are not covered by the requirement.