

*These notes refer to the Renting Homes (Wales) Act 2016  
(c.1) which received Royal Assent on 18 January 2016*

# **RENTING HOMES (WALES) ACT 2016**

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## **EXPLANATORY NOTES**

### **INTRODUCTION**

#### *What are the terms of an occupation contract?*

#### *Supplementary provisions*

21. Supplementary provisions are provisions set out in Regulations made by the Welsh Ministers under section 23 of the Act. As with fundamental provisions, they are automatically incorporated as terms of all occupation contracts to which they apply. And, as with fundamental provisions, the contract-holder and landlord may agree not to incorporate a supplementary provision or to incorporate the provision with modifications (provided the Regulation which sets out the provision does not prohibit this).
22. There is no requirement that modification or omission of a supplementary provision improves the position of the contract-holder; the only limit is that a change to a supplementary provision must not render the occupation contract incompatible with any relevant fundamental term of the contract.
23. Once a supplementary provision is incorporated into an occupation contract, it becomes a 'supplementary term'. These can be changed once the contract is made; the Act describes a change to a supplementary term as a 'variation'. As with fundamental terms, there are limits on the ability to change supplementary terms, set out in Chapter 2 in Part 5 and Chapter 3 in each of Parts 6 and 7.