



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 2

OCCUPATION CONTRACTS AND LANDLORDS

CHAPTER 4

SUPPLEMENTARY PROVISIONS OF OCCUPATION CONTRACTS

23 Supplementary provisions

- (1) The Welsh Ministers may by regulations provide that provisions set out in the regulations are incorporated as terms of occupation contracts (subject to sections 21, 24(1) and (2) and 25); for the purposes of this Act such provisions are “supplementary provisions”.
- (2) Before making regulations under subsection (1), the Welsh Ministers must consult such persons as appear to them to be appropriate.
- (3) Sections 112 and 131 give the Welsh Ministers further powers to prescribe supplementary provisions relating to time limits for withdrawal of joint contract-holders from secure contracts and periodic standard contracts (and the Welsh Ministers must consult in accordance with subsection (2) before using those powers).
- (4) The Welsh Ministers may, under subsection (1), prescribe a provision in an enactment as a supplementary provision applicable to an occupation contract.
- (5) In this Act—
 - “supplementary provision” (*“darpariaeth atodol”*) (except in relation to sections 255 and 256) has the meaning given in subsection (1) of this section;
 - “supplementary term” (*“teler atodol”*), in relation to an occupation contract, means a term of the contract which incorporates a supplementary provision (with or without modifications).

Changes to legislation: *Renting Homes (Wales) Act 2016, CHAPTER 4 is up to date with all changes known to be in force on or before 10 June 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*

Commencement Information

- I1** S. 23 in force at 5.8.2016 for specified purposes by [S.I. 2016/813](#), [art. 2\(a\)](#), [Sch. Pt. 1](#)
I2 S. 23 in force at 1.12.2022 in so far as not already in force by [S.I. 2022/906](#), [art. 2](#)

24 Incorporation and modification of supplementary provisions

- (1) A supplementary provision is not incorporated as a term of an occupation contract if the landlord and the contract-holder agree that it should not be incorporated.
- (2) A supplementary provision is incorporated as a term of an occupation contract with modifications if the landlord and the contract-holder agree that it should be incorporated with those modifications.
- (3) An agreement under subsection (1) or (2) that would make a supplementary term of an occupation contract incompatible with a fundamental term of the contract is of no effect.
- (4) Subsections (1) and (2) are subject to section 34 (landlord's failure to provide written statement of contract) and section 36 (incomplete written statement).

Commencement Information

- I3** S. 24 in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

25 Effect of non-incorporation and modification of supplementary provisions

- (1) Subsections (2) and (3) apply where—
 - (a) a supplementary provision is not incorporated as a term of an occupation contract because of an agreement under section 24(1), or
 - (b) a supplementary provision is incorporated as a term of the contract with modifications because of an agreement under section 24(2).
- (2) If as a result it is necessary that another supplementary provision is not incorporated, the other provision is not incorporated.
- (3) If as a result it is necessary that another supplementary provision is incorporated with modifications, the other provision is incorporated with the necessary modifications (in addition to any modifications made because of an agreement under section 24(2)).

Commencement Information

- I4** S. 25 in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- 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](#)