Renting Homes (Wales) Act 2016

2016 anaw 1

PART 9

TERMINATION ETC. OF OCCUPATION CONTRACTS

CHAPTER 1

OVERVIEW AND INTRODUCTORY PROVISIONS

Permissible termination, possession claims and notices requiring possession

148   Permissible termination etc.

(1) An occupation contract may be ended only in accordance with—

    (a)   the fundamental terms of the contract which incorporate fundamental provisions set out in this Part or other terms included in the contract in accordance with this Part, or

    (b)   an enactment.

(2) Nothing in this section affects—

    (a)   any right of the landlord or contract-holder to rescind the contract, or

    (b)   the operation of the law of frustration.

(3) This section is a fundamental provision which is incorporated as a term of all occupation contracts; section 20 provides that this section—

    (a)   must be incorporated, and

    (b)   must not be incorporated with modifications.

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149   Possession claims

(1) The landlord under an occupation contract may make a claim to the court for recovery of possession of the dwelling from the contract-holder ("a possession claim") only in the circumstances set out in Chapters 3 to 5 and 7.

(2) This section is a fundamental provision which is incorporated as a term of all occupation contracts; section 20 provides that this section—

    (a)   must be incorporated, and

    (b)   must not be incorporated with modifications.

150   Possession notices

(1) This section applies in relation to a possession notice which a landlord is required to give to a contract-holder before making a possession claim.

(2) The notice must (in addition to specifying the ground on which the claim will be made)—

    (a)   state the landlord's intention to make a possession claim,

    (b)   give particulars of the ground, and

    (c)   state the date after which the landlord is able to make a possession claim.

(3) This section is a fundamental provision which is incorporated as a term of all occupation contracts.