

Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Failure to provide gas safety report to contract-holder is up to date with all changes known to be in force on or before 13 April 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

[^{F1}SCHEDULE 9A

STANDARD CONTRACTS: RESTRICTIONS ON GIVING NOTICE UNDER SECTION 173, UNDER SECTION 186, AND UNDER A LANDLORD'S BREAK CLAUSE

Textual Amendments

F1 Sch. 9A inserted (7.6.2021) by Renting Homes (Amendment) (Wales) Act 2021 (asc 3), s. 19(3), Sch. 2

PART 1

THE RESTRICTIONS

[^{F2}Failure to provide gas safety report to contract-holder

Textual Amendments

F2 Sch. 9A paras. 5A-5C and cross-heading inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Amendment of Schedule 9A) Regulations 2022 (S.I. 2022/143), regs. 1, 4 (as amended by S.I. 2022/906, arts. 1(2), 8)

- 5C. (1) This paragraph is incorporated as a term of all standard contracts—
- (a) which are mentioned in paragraph 7(1), and
 - (b) in relation to which regulation 36 of the Gas Safety Regulations applies.
- (2) A landlord may not give notice at a time when the landlord has not complied with regulation 36(6) or (as the case may be) (7) of the Gas Safety Regulations (requirement to provide or display report on safety etc. of gas installations).
- (3) For the purposes of sub-paragraph (2), a landlord who has not complied with regulation 36(6) or (7) of the Gas Safety Regulations is to be treated as in compliance with the provision in question at any time when—
- (a) the landlord has ensured that the contract-holder has been given, or (as the case may be) there is displayed in a prominent position in the dwelling, a copy of a gas safety record, and
 - (b) that record is valid.
- (4) For the purposes of sub-paragraph (3), a gas safety record is valid until the end of the period within which the appliance or flue to which the record relates is required, under the Gas Safety Regulations, to again be subjected to a check for safety.
- (5) In this paragraph—
- “check for safety” (“*gwiriad diogelwch*”) means a check for safety carried out in accordance with regulation 36(3) of the Gas Safety Regulations;
- “gas safety record” (“*cofnod diogelwch nwy*”) means a record made pursuant to the requirements of regulation 36(3)(c) of the Gas Safety Regulations;
- “Gas Safety Regulations” (“*Rheoliadau Diogelwch Nwy*”) means the Gas Safety (Installation and Use) Regulations 1998 (S.I. 1998/2451).]]

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Commencement Information

II Sch. 9A para. 5C in force at 1.12.2022 by S.I. 2022/906, **art. 2**

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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](#)