



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 1

OVERVIEW OF ACT

Introduction to Parts 1 and 2 and key concepts in this Act

3 Fundamental provisions and supplementary provisions of occupation contracts

- (1) Part 2 of this Act establishes the concept of a “fundamental provision”; that is, a provision of this Act (generally a section) which is automatically included as a term of all occupation contracts, or of specified occupation contracts (and so forms part of the contract between a contract-holder and a landlord).
- (2) Once a fundamental provision of this Act is included in an occupation contract, it is referred to as a “fundamental term” of the contract (see section 19).
- (3) At the creation of the contract, the parties can agree that a fundamental provision will be included in the contract with changes (referred to in this Act as “modifications”) or that it will not be included at all; however, the parties can only do either of these things if it will improve the contract-holder’s position, and there are some fundamental provisions which must be included without changes.
- (4) Once an occupation contract has been created the parties can vary its fundamental terms; but there are certain limits to this.
- (5) Part 2 of this Act also establishes the concept of a “supplementary provision”; that is, a provision set out in regulations made by the Welsh Ministers which is automatically included as a term of all occupation contracts, or of specified occupation contracts.
- (6) Once a supplementary provision is included in an occupation contract, it is referred to as a “supplementary term” of the contract (see section 23).
- (7) At the creation of the contract, the parties can agree that a supplementary provision will be included in the contract with modifications or that it will not be included at all, and

Status: This is the original version (as it was originally enacted).

once an occupation contract has been created, the parties can vary its supplementary terms; but there are certain limits to this.