



# Renting Homes (Fees etc.) (Wales) Act 2019

2019 anaw 2

## PART 7

### FINAL PROVISIONS

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#### Modifications etc. (not altering text)

- C1** Pt. 7 applied (with modifications) (1.9.2019) by [The Renting Homes \(Fees etc.\) \(Wales\) Act 2019 \(Transitional Provision for Assured Shorthold Tenancies\) Regulations 2019 \(S.I. 2019/1151\)](#), regs. 1(2), 3

#### **24 Requirement for local housing authority to promote awareness of effect of Act**

- (1) A local housing authority must make arrangements for information to be made publicly available in its area, in whatever way the authority thinks appropriate, about the effect of this Act, including about how prohibited payments and holding deposits may be recovered.
- (2) In making arrangements for the purposes of this section, a local housing authority must have regard to any guidance given by the Welsh Ministers.

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#### Commencement Information

- II** [S. 24](#) in force at 1.9.2019 by [S.I. 2019/1150](#), art. 2(b)

#### **25 Power to make transitional provision in respect of assured tenancies**

- (1) Regulations may make provision for this Act to apply, subject to any modifications specified by the regulations, in relation to an assured tenancy of a dwelling.

*Status: Point in time view as at 01/09/2019.*

*Changes to legislation: There are currently no known outstanding effects for the Renting Homes (Fees etc.) (Wales) Act 2019, PART 7. (See end of Document for details)*

- (2) For the purposes of subsection (1), “assured tenancy” has the same meaning as in the Housing Act 1988 (c. 50) (and includes an assured shorthold tenancy).

**Commencement Information**

**I2** S. 25 in force at 1.9.2019 by S.I. 2019/1150, art. 2(b)

**26 Offences by bodies corporate**

- (1) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
- (a) a senior officer of the body corporate, or
  - (b) a person purporting to be a senior officer of the body corporate,
- that senior officer or person (as well as the body corporate) is guilty of the offence and is liable to be proceeded against and punished accordingly.
- (2) In subsection (1), “senior officer” means a director, manager, secretary or other similar officer of the body corporate.
- (3) But in the case of a body corporate whose affairs are managed by its members, “director” for the purposes of this section means a member of the body corporate.

**Commencement Information**

**I3** S. 26 in force at 1.9.2019 by S.I. 2019/1150, art. 2(b)

**27 Regulations**

- (1) A power to make regulations under this Act is to be exercised by statutory instrument.
- (2) A power to make regulations under this Act includes power—
- (a) to make different provision for different purposes;
  - (b) to make supplemental, incidental, consequential, transitional, transitory or saving provision.
- (3) A statutory instrument containing regulations under section 7, section 13 or paragraphs 2 or 6 of Schedule 1 (whether or not it contains regulations made under any other provision of this Act) may not be made unless a draft of the regulations has been laid before, and approved by resolution of, the National Assembly for Wales.
- (4) Any other statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

**Commencement Information**

**I4** S. 27 in force at 1.9.2019 by S.I. 2019/1150, art. 2(b)

*Status: Point in time view as at 01/09/2019.*

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## 28 Interpretation

In this Act—

“contract-holder” (“*deiliad contract*”) has the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1) (referred to in this section as “the 2016 Act”);

“dwelling” (“*annedd*”) has the same meaning as in the 2016 Act;

“holding deposit” (“*blaendal cadw*”) has the meaning given in Schedule 1;

“landlord” (“*landlord*”) has the same meaning as in the 2016 Act; and if two or more persons jointly constitute the landlord, references in this Act to the landlord are to each of those persons;

“local housing authority” (“*awdurdod tai lleol*”) means the council for a county or county borough in Wales;

“prohibited payment” (“*taliad gwaharddedig*”) has the meaning given in section 4;

“regulations” (“*rheoliadau*”) means regulations made by the Welsh Ministers;

“security deposit” (“*blaendal sicrwydd*”) has the meaning given in Schedule 1;

“standard occupation contract” (“*contract meddiannaeth safonol*”) means a contract that is a standard contract for the purposes of the 2016 Act.

### Commencement Information

**I5** S. 28 in force at 1.9.2019 by S.I. 2019/1150, art. 2(b)

## 29 Crown application

- (1) This Act applies to the Crown.
- (2) No contravention of any provision made by or under this Act makes the Crown criminally liable, but the High Court may declare unlawful any act or omission of the Crown which constitutes such a contravention.

### Commencement Information

**I6** S. 29 in force at 1.9.2019 by S.I. 2019/1150, art. 2(b)

## 30 Coming into force

- (1) This section and section 31 come into force on the day after the day this Act receives Royal Assent.
- (2) The other provisions of this Act come into force on a day appointed by the Welsh Ministers in an order made by statutory instrument.
- (3) An order under this section may—
  - (a) appoint different days for different purposes;
  - (b) make transitory, transitional or saving provision.

*Status: Point in time view as at 01/09/2019.*

*Changes to legislation: There are currently no known outstanding effects for the  
Renting Homes (Fees etc.) (Wales) Act 2019, PART 7. (See end of Document for details)*

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### **31 Short title**

The short title of this Act is the Renting Homes (Fees etc.) (Wales) Act 2019.

**Status:**

Point in time view as at 01/09/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the *Renting Homes (Fees etc.) (Wales) Act 2019*, PART 7.