
WELSH STATUTORY INSTRUMENTS

2020 No. 1044

The Coronavirus Act 2020 (Residential Tenancies:
Protection from Eviction) (Wales) Regulations 2020

PART 3

NOTICE PERIODS: AMENDMENTS TO
MODIFICATIONS MADE BY SCHEDULE 29

RENT ACT 1977 PROTECTED TENANCIES AND STATUTORY TENANCIES

Amendment of modifications made to section 5(1) of the Protection from Eviction Act 1977

- 4.—(1) Paragraph 2 of Schedule 29 is amended as follows.
- (2) In sub-paragraph (1) (notice period for Rent Act notices to quit)—
- (a) omit “the reference to 4 weeks were a reference to”;
 - (b) in paragraph (a), after “in relation to premises in England,” insert “the reference to 4 weeks were a reference to”;
 - (c) in paragraph (b), for “3 months”, substitute “for paragraph (b) there were substituted—
“**(b)** it is given—
 - (i) not less than four weeks before the date on which it is to take effect where the notice to quit specifies that the landlord is of the opinion that the circumstance specified in Case 2 in Schedule 15 to the Rent Act 1977 applies (whether or not any other circumstance specified in that Schedule applies), and
 - (ii) where sub-paragraph (i) does not apply, not less than six months before the date on which it is to take effect.”;”.”

Amendment of modifications made to section 3 of the Rent Act 1977

- 5.—(1) Paragraph 2 of Schedule 29 is amended as follows.
- (2) In sub-paragraph (3) (notice period for possession proceedings in relation to Rent Act 1977 statutory tenancies)—
- (i) in inserted subsection (4A)(b)(ii) of the modification, for “, at least three months” substitute “—
 - (aa) at least four weeks where the notice of intention to commence possession proceedings specifies a ground that corresponds to Case 2 in Schedule 15 to this Act (whether or not the notice specifies any other ground), and
 - (ab) where sub-paragraph (aa) does not apply, at least six months”;”

(ii) in inserted subsection (4C)(g)(i) of the modification, for “, at least three months after the date on which the notice is given,” substitute

“—

(aa) at least four weeks after the date on which the notice is given where the notice of intention to commence possession proceedings specifies a ground that corresponds to Case 2 in Schedule 15 to this Act (whether or not the notice specifies any other ground), and

(ab) where sub-paragraph (aa) does not apply, at least six months after the date on which the notice is given.”.

SECURE TENANCIES

Amendment of modifications made to section 83 of the Housing Act 1985

6.—(1) Paragraph 3 of Schedule 29 (notice of possession proceedings in relation to secure tenancies) is amended as follows.

(2) In paragraph (b), omit “, in relation to a dwelling-house in England,”.

(3) in paragraph (c)—

(a) in inserted subsection (4B)(a)(ii) of the modification, for “, three months after the date of service of the notice,” substitute

“—

(aa) four weeks after the date of service of the notice where Ground 2A in Schedule 2 is specified without any other ground, and

(ab) where sub-paragraph (aa) does not apply, six months after the date of service of the notice,”.

Suspension of provision relating to section 83 of the Housing Act 1985 where notice is given on anti-social behaviour grounds

7. Paragraph 3 of Schedule 29 (extension of notices in relation to secure tenancies) is suspended in relation to Wales for the purposes of a notice under section 83 of the Housing Act 1985(1) specifying Ground 2 in Schedule 2 to that Act (discretionary ground for anti-social behaviour), whether with or without other grounds.

Suspension of provisions relating to section 83ZA of the Housing Act 1985 where notice is given on anti-social behaviour grounds

8. Paragraph 4 of Schedule 29 (notice of possession proceedings on absolute ground for anti-social behaviour in relation to secure tenancies) is suspended in relation to Wales.

ASSURED TENANCIES

Amendment of modifications made to section 8 of the Housing Act 1988

9.—(1) Paragraph 6 of Schedule 29 (notice of possession proceedings in relation to assured tenancies) is amended as follows.

(2) In paragraph (d)—

(1) 1985 c. 68.

- (a) the words “for “two weeks” there were substituted “the relevant notice period” in relation to a dwelling-house in England” become sub-paragraph (i);
- (b) for “and “six months” in relation to a dwelling-house in Wales” substitute
“, and
 - (ii) for “two weeks from the date of the service of the notice” there were substituted, in relation to a dwelling-house in Wales
“—
 - (a) two weeks from the date of the service of the notice where Ground 14A in Schedule 2 is specified without any other ground, and
 - (b) where paragraph (b) does not apply, six months from the date of the service of the notice.””

Suspension of provisions relating to section 8(3A) and (4) of the Housing Act 1988 (Grounds 7A or 14: anti-social behaviour, offences etc.)

10. In paragraph 6 of Schedule 29 (notice of possession proceedings on Grounds 7A and 14 in relation to assured tenancies) paragraphs (a) and (b) are suspended in relation to Wales.

INTRODUCTORY TENANCIES

Amendment of modifications made to section 128 of the Housing Act 1996

11.—(1) Paragraph 8 of Schedule 29 (notice of possession proceedings in relation to introductory tenancies) is amended as follows.

(2) In paragraph (b), in inserted subsection (4A)(a)(ii) of the modification, for “, three months beginning with the date on which the notice of proceedings is served” substitute

“—

- (aa) four weeks beginning with the date on which the notice of proceedings is served where the landlord has specified in the notice of proceedings an ASB reason for applying for a possession order (whether or not the landlord has any other reason), and
- (ab) in any other case, six months from the date on which the notice of proceedings is served”.

(3) In paragraph (c), in inserted subsection (8) of the modification, in the definition of “ASB reason”—

- (a) after ““ASB reason” means” insert “, in relation to a dwelling-house in England,” and
- (b) at the end, insert “and, in relation to a dwelling-house in Wales, a reason which corresponds to any of those set out in section 84A(3) to (7) of the Housing Act 1985 or Grounds 2 and 2A of Schedule 2 to that Act”.

DEMOTED TENANCIES

Amendment of modifications made to section 143E of the Housing Act 1996

12.—(1) Paragraph 9 of Schedule 29 (notice of possession proceedings in relation to demoted tenancies) is amended as follows.

(2) In paragraph (a), in inserted subsection (3)(a)(ii) of the modification, for “, three months beginning with the date on which the notice of proceedings is served” substitute

“—

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- (aa) four weeks beginning with the date on which the notice of proceedings is served where the landlord has specified in the notice of proceedings an ASB reason for applying for a possession order (whether or not the landlord has any other reason), and
 - (ab) in any other case, six months from the date on which the notice of proceedings is served”.
- (3) In paragraph (b), in inserted subsection (6) of the modification, in the definition of “ASB reason”—
- (a) after ““ASB reason” means” insert “, in relation to a dwelling-house in England,” and
 - (b) at the end, insert “and, in relation to a dwelling-house in Wales, a reason which corresponds to any of those set out in section 84A(3) to (7) of the Housing Act 1985 or Grounds 2 and 2A of Schedule 2 to that Act”.