



Housing (Wales) Measure 2011

2011 nawm 5

PART 2

REGISTERED SOCIAL LANDLORDS

CHAPTER 4

ENFORCEMENT

Penalty

60 Warning

After section 50J of the Housing Act 1996 insert—

“50K Warning

- (1) Before giving a penalty notice to a registered social landlord the Welsh Ministers must give the landlord a notice (a “pre-penalty warning”)—
 - (a) specifying grounds on which the Welsh Ministers think a penalty could be imposed,
 - (b) warning the landlord that the Welsh Ministers are considering imposing a penalty,
 - (c) including any indication that the Welsh Ministers are able to give of the likely amount of any penalty, and
 - (d) explaining the effect of sections 50L, 50M(1), (3) and (5) and 50N.
- (2) The Welsh Ministers must send a copy of a pre-penalty warning to any person they think appropriate (having regard, in particular, to any person who provided information as a result of which the pre-penalty warning is given).
- (3) A pre-penalty warning must—

Status: *This is the original version (as it was originally enacted).*

- (a) refer to section 6A, and
 - (b) indicate whether or to what extent the Welsh Ministers would accept a voluntary undertaking instead of, or in mitigation of, a penalty.
- (4) A pre-penalty warning may be combined with notice under one or more of the following—
- (a) section 50S,
 - (b) paragraphs 15C, 15E and 15G of Schedule 1.”