
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, on 27 April 2015, Part 2 of the Housing (Wales) Act 2014 (“the Act”), with the exception of section 75(3) (intentionally homeless households with children) and the partial exception of section 78 (deciding to have regard to intentionality). The Order also makes transitory, transitional and saving provisions as a result of the commencement of Part 2.

This is the third commencement order made by the Welsh Ministers under the Act.

Article 2 commences, insofar as not already commenced, Part 2 (homelessness) of the Act, subject to the exceptions below. Section 100 of the Act introduces Part 1 of Schedule 3 which makes consequential amendments relating to Part 2 of the Act. These amendments, among other things, have the effect of restricting to England, the application of Part 7 of the Housing Act 1996.

Article 2 also commences section 78 of the Act, but only for the purposes of allowing local housing authorities to decide to have regard to intentional homelessness in relation to specified categories of applicants. It also allows the notices of the decisions to be published.

Article 3 brings section 78 into effect for all remaining purposes on 1 July 2015.

Article 5 saves the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014. It also modifies the Regulations so that they will operate as if made under the Act.

Article 6 modifies section 75(2)(d) of the Act to omit the reference to deciding to have regard to intentionality, until section 78 is brought into full effect on 1 July 2015.

Article 7 makes a transitional provision in respect of a person who has applied before 27 April 2015 for assistance under Part 7 of the Housing Act 1996.

Article 8 makes a transitory modification to the Local Authority Social Services Act 1970, to refer to the homelessness functions of social services authorities under the Act.