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WELSH STATUTORY INSTRUMENTS

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**2022 No. 1172**

**The Renting Homes (Wales) Act 2016 (Saving and Transitional Provisions) Regulations 2022**

**PART 1**

**Possession Proceedings**

**Demoted tenancies**

**5.—(1)** Despite the amendments made by the 2022 Consequential Regulations, the following provisions of the 1996 Act continue to have effect, as they did immediately before the appointed day, in relation to the specified matters—

- (a) section 143D(2)(1) (proceedings for possession), in relation to a notice served on the tenant in accordance with section 143E(2) before the appointed day;
- (b) section 143E(1) and (4) (notice of proceedings for possession), in relation to a notice served on the tenant in accordance with section 143E before the appointed day;
- (c) section 143F(1)(3) (review of decision to seek possession), in relation to a notice served on the tenant in accordance with section 143E before the appointed day;
- (d) section 143F(2), (5) and (6), in relation to a notice served on the tenant in accordance with section 143E before the appointed day (whether the request for a review was made, or the review was conducted, before or after the appointed day);
- (e) section 143G(4) (effect of proceedings for possession), in relation to proceedings begun before the appointed day for the possession of a dwelling-house let under a demoted tenancy that ended prior to that day in accordance with that section.

(2) Section 206(1) of the 2016 Act (effect of order for possession) applies in relation to an order for possession made by the court under section 143D(2) of the 1996 Act after the appointed day (by virtue of savings made in this regulation), as it applies in relation to an order for possession made under the 2016 Act.

(3) Despite the amendments made by the 2022 Consequential Regulations, section 143D(1) and (1A) of the 1996 Act continue to have effect in relation to a possession order made by the court under that section before the appointed day.

(4) Despite the amendments made by the 2022 Secondary Consequential Regulations, the Demoted Tenancies (Review of Decisions) (Wales) Regulations 2005(5) continue to have effect in relation to reviews conducted under section 143F of the 1996 Act by virtue of savings made in this regulation (whether the reviews are conducted, in whole or in part, before or after the appointed day).

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- (1) Section 143D was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38) and amended by sections 299 and 321 of and paragraphs 10 and 13 of Part 1 of Schedule 11 and Schedule 16 to the Housing and Regeneration Act 2008 (c. 17).
  - (2) Section 143E was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38).
  - (3) Section 143F was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38).
  - (4) Section 143G was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38).
  - (5) S.I. 2005/1228 (W. 86).

(5) A notice served on the tenant under section 143E of the 1996 Act before the appointed day ceases to have effect (and no new possession proceedings may be commenced in reliance of the notice)—

- (a) at the end of the period of six months beginning with the appointed day, or
- (b) at the end of the period of twelve months beginning with the day specified in the notice as the day after which proceedings may be begun in accordance with section 143E(2)(c) of the 1996 Act,

whichever is the earlier.

(6) Any savings in this regulation which relate to a notice served on the tenant in accordance with section 143E of the 1996 Act before the appointed day, have effect whether proceedings were commenced before or after that day.

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**Commencement Information**

**II** Reg. 5 in force at 1.12.2022, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Renting Homes (Wales) Act 2016 (Saving and Transitional Provisions) Regulations 2022, Section 5.