

WELSH STATUTORY INSTRUMENTS

2022 No. 906 (W. 197) (C. 64)

HOUSING, WALES

**The Renting Homes (Wales) Act 2016 (Commencement
No. 2 and Consequential Amendments) Order 2022**

Made - - - - 12 August 2022

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 257(2) of the Renting Homes (Wales) Act 2016⁽¹⁾ and section 38(1) of the Legislation (Wales) Act 2019⁽²⁾.

Title, coming into force and interpretation **E+W**

1.—(1) The title of this Order is the Renting Homes (Wales) Act 2016 (Commencement No. 2 and Consequential Amendments) Order 2022.

(2) This Order comes into force on the day after the day on which it is made.

(3) In this Order, “the Act” means the Renting Homes (Wales) Act 2016.

Commencement Information

I1 Art. 1 in force at 13.8.2022, see [art. 1\(2\)](#)

Appointed day **E+W**

2. 1 December 2022 is the appointed day for the coming into force of the Act in so far as it is not already in force.

Commencement Information

I2 Art. 2 in force at 13.8.2022, see [art. 1\(2\)](#)

⁽¹⁾ 2016 anaw 1.

⁽²⁾ 2019 anaw 4. The power to make regulations under section 38 of the Legislation (Wales) Act 2019 may be exercised to make an order by virtue of section 39 of that Act.

Amendment of the Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022 **E+W**

3. In regulation 1 of the Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022(3), for “the day on which section 239 of the Act comes into force”, substitute “1 December 2022 (the day on which section 239 of the Act comes into force)”.

Commencement Information

I3 Art. 3 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022 **E+W**

4. In regulation 1 of the Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022(4), for “the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force”, substitute “1 December 2022 (the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force)”.

Commencement Information

I4 Art. 4 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Supplementary Provisions) (Wales) Regulations 2022 **E+W**

5. In regulation 1 of the Renting Homes (Supplementary Provisions) (Wales) Regulations 2022(5), for “the day on which section 239 of the Act comes into force”, substitute “1 December 2022 (the day on which section 239 of the Act comes into force)”.

Commencement Information

I5 Art. 5 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Supported Standard Contracts) (Supplementary Provisions) (Wales) Regulations 2022 **E+W**

6. In regulation 1 of the Renting Homes (Supported Standard Contracts) (Supplementary Provisions) (Wales) Regulations 2022(6), for “the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force”, substitute “1 December 2022 (the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force)”.

Commencement Information

I6 Art. 6 in force at 13.8.2022, see [art. 1\(2\)](#)

(3) S.I. 2022/6 (W. 4).
 (4) S.I. 2022/22 (W. 10).
 (5) S.I. 2022/23 (W. 11).
 (6) S.I. 2022/24 (W. 12).

Amendment of the Renting Homes (Model Written Statements of Contract) (Wales) Regulations 2022 **E+W**

7. In regulation 1 of the Renting Homes (Model Written Statements of Contract) (Wales) Regulations 2022(7), for “the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force”, substitute “1 December 2022 (the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force)”.

Commencement Information

I7 Art. 7 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Wales) Act 2016 (Amendment of Schedule 9A) Regulations 2022 **E+W**

8. In regulation 1 of the Renting Homes (Wales) Act 2016 (Amendment of Schedule 9A) Regulations 2022(8), for “the day on which section 239 of the Act comes into force”, substitute “1 December 2022 (the day on which section 239 of the Act comes into force)”.

Commencement Information

I8 Art. 8 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Prescribed Forms) (Wales) Regulations 2022 **E+W**

9. In regulation 1 of the Renting Homes (Prescribed Forms) (Wales) Regulations 2022(9), for “the day on which section 239 of the Act comes into force”, substitute “1 December 2022 (the day on which section 239 of the Act comes into force)”.

Commencement Information

I9 Art. 9 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Review of Decisions) (Wales) Regulations 2022 **E+W**

10. In regulation 1 of the Renting Homes (Review of Decisions) (Wales) Regulations 2022(10), for “the day on which section 239 of the Act comes into force”, substitute “1 December 2022 (the day on which section 239 of the Act comes into force)”.

Commencement Information

I10 Art. 10 in force at 13.8.2022, see [art. 1\(2\)](#)

(7) S.I. 2022/28 (W. 13).
(8) S.I. 2022/143 (W. 46).
(9) S.I. 2022/244 (W. 72).
(10) S.I. 2022/245 (W. 73).

Amendment of the Renting Homes (Deposit Schemes) (Required Information) (Wales) Regulations 2022 **E+W**

11. In regulation 1 of the Renting Homes (Deposit Schemes) (Required Information) (Wales) Regulations 2022(**11**), for “the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force”, substitute “1 December 2022 (the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force)”.

Commencement Information

I11 Art. 11 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Safeguarding Property in Abandoned Dwellings) (Wales) Regulations 2022 **E+W**

12. In regulation 1 of the Renting Homes (Safeguarding Property in Abandoned Dwellings) (Wales) Regulations 2022(**12**), for “the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force”, substitute “1 December 2022 (the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force)”.

Commencement Information

I12 Art. 12 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Rent Determination) (Converted Contracts) (Wales) Regulations 2022 **E+W**

13. In regulation 1 of the Renting Homes (Rent Determination) (Converted Contracts) (Wales) Regulations 2022(**13**), for “the day on which section 239 of the Act comes into force”, substitute “1 December 2022 (the day on which section 239 of the Act comes into force)”.

Commencement Information

I13 Art. 13 in force at 13.8.2022, see [art. 1\(2\)](#)

Amendment of the Renting Homes (Wales) Act 2016 (Housing Association Tenancies: Fundamental provisions) Regulations 2022 **E+W**

14. In regulation 1 of the Renting Homes (Wales) Act 2016 (Housing Association Tenancies: Fundamental Provisions) Regulations 2022(**14**), for “the day on which section 239 of the Act comes into force”, substitute “1 December 2022 (the day on which section 239 of the Act comes into force)”.

Commencement Information

I14 Art. 14 in force at 13.8.2022, see [art. 1\(2\)](#)

(11) S.I. 2022/250 (W. 76).
 (12) S.I. 2022/256 (W. 78).
 (13) S.I. 2022/781 (W. 170).
 (14) S.I. 2022/799 (W. 176).

Amendment of the Renting Homes (Wales) Act 2016 (Amendment) Regulations 2022 E+W

15. In regulation 1(1) of the Renting Homes (Wales) Act 2016 (Amendment) Regulations 2022(**15**), for “the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force”, substitute “1 December 2022 (the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force)”.

Commencement Information

I15 Art. 15 in force at 13.8.2022, see [art. 1\(2\)](#)

Julie Jame
Minister for Climate Change, one of the Welsh
Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the second commencement order made by the Welsh Ministers under the Renting Homes (Wales) Act 2016 (anaw 1) (“the Act”).

The Act makes provision about tenancies and licences which confer the right to occupy a dwelling as a home, including provision establishing two kinds of contract for the purpose of renting homes and for connected purposes.

The Act is amended by the Renting Homes (Amendment) (Wales) Act 2021 (asc 3).

Article 2 of this Order brings the Act into force, to the extent that it is not already in force, on 1 December 2022.

In preparation for the coming into force of the remainder of the Act, 13 substantive statutory instruments have been made under various enabling provisions within the Act. 12 of those statutory instruments have been made on the basis that they will come into force on the day on which section 239 of the Act comes into force.

Section 38(1) of the Legislation (Wales) Act 2019 (anaw 4) enables the Welsh Ministers to amend provisions which describe a date or time by reference to the coming into force of an enactment, with the actual date or time (once known).

In exercise of that power, articles 3 to 15 amend the 12 statutory instruments to replace references to the day on which section 239 of the Act comes into force with a reference to 1 December 2022.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been partially brought into force by the Renting Homes (Wales) Act 2016 (Commencement No. 1) Order 2016 (S.I. 2016/813) (W. 203) (C. 57) for the purposes specified in the table below—

<i>Provision</i>	<i>Date of Commencement</i>
Section 23 (for the purpose of making regulations)	5 August 2016
Section 29 (for the purpose of making regulations)	5 August 2016
Section 32(4) (for the purpose of making regulations)	5 August 2016
Section 45(3) (for the purpose of making regulations)	5 August 2016
Section 94 (for the purpose of making regulations)	5 August 2016
Section 112 (for the purpose of making regulations)	5 August 2016
Section 116(4) (for the purpose of issuing guidance)	5 August 2016
Section 131 (for the purpose of making regulations)	5 August 2016
Section 146(1) (for the purpose of issuing guidance)	5 August 2016
Section 203(5) and (6) (for the purpose of making regulations)	5 August 2016

<i>Provision</i>	<i>Date of Commencement</i>
Section 221 (for the purpose of making regulations)	5 August 2016
Section 236(3) and (4) (for the purpose of making regulations)	5 August 2016
Paragraph 15(10) of Schedule 2 (for the purpose of making regulations)	5 August 2016
Paragraph 17 of Schedule 2 (for the purpose of making regulations)	5 August 2016
Paragraph 10(2) of Schedule 3 (for the purpose of making regulations)	5 August 2016
Paragraph 15(3) and (4) of Schedule 3 (for the purpose of making regulations)	5 August 2016
Paragraph 17 of Schedule 3 (for the purpose of making regulations)	5 August 2016
Paragraph 4(7) and (8) of Schedule 4 (for the purpose of making regulations)	5 August 2016
Paragraph 1(6) of Schedule 5 (for the purpose of making regulations)	5 August 2016
Paragraph 5(7) and (8) of Schedule 7 (for the purpose of making regulations)	5 August 2016
Paragraph 15(2) of Schedule 12 (for the purpose of making regulations)	5 August 2016
Paragraph 33 of Schedule 12 (for the purpose of making regulations)	5 August 2016

See section 257(1) of the Act for provisions which came into force on the day after the day on which the Act received Royal Assent. The Act received Royal Assent on 18 January 2016.

Changes to legislation:

There are currently no known outstanding effects for the The Renting Homes (Wales) Act 2016 (Commencement No. 2 and Consequential Amendments) Order 2022.