



Mae'r Offeryn Statudol hwn yn cywiro gwallau yn O.S. 2022/22 (Cy. 10) a 2022/28 (Cy. 13) ac fe'i dyroddir yn rhad ac am ddim i bawb y gwyddys iddynt gael yr Offerynnau Statudol hynny.

This Statutory Instrument corrects errors in S.I. 2022/22 (W. 10) and 2022/28 (W. 13) and is being issued free of charge to all known recipients of those Statutory Instruments.

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2023 Rhif 1199 (Cy. 210)

2023 No. 1199 (W. 210)

TAI, CYMRU

HOUSING, WALES

**Rheoliadau Rhentu Cartrefi
(Diwygiadau Amrywiol) (Cymru)
2023**

**The Renting Homes (Miscellaneous
Amendments) (Wales) Regulations
2023**

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Rhentu Cartrefi (Gwybodaeth Esboniadol ar gyfer Datganiadau Ysgrifenedig o Gontractau Meddiannaeth) (Cymru) 2022 (O.S. 2022/22 (Cy. 10)), Rheoliadau Rhentu Cartrefi (Datganiadau Ysgrifenedig Enghreifftiol o Gontract) (Cymru) 2022 (O.S. 2022/28 (Cy. 13)) a Rheoliadau Rhentu Cartrefi (Ffurfiâu Rhagnodedig) (Cymru) 2022 (O.S. 2022/244 (Cy. 72)).

Mae rheoliad 2 yn diwygio rheoliadau 3 ac 8 o Reoliadau Rhentu Cartrefi (Gwybodaeth Esboniadol ar gyfer Datganiadau Ysgrifenedig o Gontractau Meddiannaeth) (Cymru) 2022. Gwneir diwygiadau i reoliad 3 i egluro'r materion rhagnodedig y mae rhaid cynnwys gwybodaeth esboniadol ar eu cyfer yn y datganiad ysgrifenedig o gontract meddiannaeth. Gwneir diwygiadau i reoliad 8 i gywiro mân wallau testunol ac atalnodi yn y testun Saesneg.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022 (S.I. 2022/22 (W. 10)), the Renting Homes (Model Written Statements of Contract) (Wales) Regulations 2022 (S.I. 2022/28 (W. 13)) and the Renting Homes (Prescribed Forms) (Wales) Regulations 2022 (S.I. 2022/244 (W. 72)).

Regulation 2 amends regulations 3 and 8 of the Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022. The amendments made to regulation 3 are to clarify the prescribed matters for which explanatory information must be contained in the written statement of an occupation contract. The amendments made to regulation 8 are to correct minor textual and punctuation errors in the English language text.

Mae rheoliad 3 yn diwygio Atodlenni 1, 2 a 3 i Reoliadau Rhentu Cartrefi (Datganiadau Ysgrifenedig Enghreifftiol o Gontract) (Cymru) 2022. Gwneir diwygiadau i Atodlenni 1, 2 a 3 i'r Rheoliadau hynny i egluro'r cyfnod y gall digollediad fod yn daladwy mewn perthynas ag ef gan landlord sydd wedi methu â darparu datganiad ysgrifenedig o fewn yr amserlen ofynnol. Gwneir diwygiadau i Ran 3 o Atodlen 2 i gywiro gwallau yn nhestun Saesneg telerau 47 a 60 ac i adlewyrchu adran 180(3)(a) o Ddeddf Rhentu Cartrefi (Cymru) 2016 yn nheler 60. Gwneir diwygiad i Ran 1 o Atodlen 3 i adlewyrchu adran 184(2) o Ddeddf Rhentu Cartrefi (Cymru) 2016, gwneir diwygiad i Ran 2 o'r Atodlen honno i ddarparu ar gyfer nodi hyd cyfnod y contract meddiannaeth a gwneir diwygiad i Ran 3 o'r Atodlen honno i egluro bod teler 39 yn deler sylfaenol y gellir ei newid neu ei adael allan o ddatganiad ysgrifenedig.

Mae Rheoliad 4 yn diwygio'r nodiadau cyfarwyddyd ar gyfer deiliaid contractau yn ffurflen RHW17 (hysbysiad y landlord o derfynu: contract safonol cyfnodol gyda chyfnod hysbysu byrraf a ganiateir o ddau fis (heblaw contract safonol rhagarweiniol neu gontract safonol ymddygiad gwaharddedig)) yn yr Atodlen i Reoliadau Rhentu Cartrefi (Ffurfiâu Rhagnodedig) (Cymru) 2022. Mae'r diwygiad yn dileu canllawiau mewn perthynas â chontractau wedi eu trosi nad ydynt yn berthnasol mwyach.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r offeryn hwn.

Regulation 3 amends Schedules 1, 2 and 3 to the Renting Homes (Model Written Statements of Contract) (Wales) Regulations 2022. Amendments are made to Schedules 1, 2 and 3 to those Regulations to clarify the period in relation to which compensation may be payable by a landlord who has failed to provide a written statement within the requisite timeframe. The amendments to Part 3 of Schedule 2 are to correct errors in the English language text of terms 47 and 60 and to reflect section 180(3)(a) of the Renting Homes (Wales) Act 2016 in term 60. The amendment to Part 1 of Schedule 3 is to reflect section 184(2) of the Renting Homes (Wales) Act 2016, the amendment to Part 2 of that Schedule is to provide for the length of the term of the occupation contract to be stated and the amendment to Part 3 of that Schedule is to clarify that term 39 is a fundamental term that may be changed or left out of a written statement.

Regulation 4 amends the guidance notes for contract-holders in form RHW17 (landlord's notice of termination: periodic standard contract with two-month minimum notice period (other than introductory standard contract or prohibited conduct standard contract)) in the Schedule to the Renting Homes (Prescribed Forms) (Wales) Regulations 2022. The amendment removes guidance in relation to converted contracts which is no longer relevant.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this instrument.

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2023**

**The Renting Homes (Miscellaneous
Amendments) (Wales) Regulations
2023**

Gwnaed 8 Tachwedd 2023

Made 8 November 2023

*Gosodwyd
Cymru* gerbron *Senedd*
10 Tachwedd 2023

Laid before Senedd Cymru 10 November 2023

Yn dod i rym 6 Rhagfyr 2023

Coming into force 6 December 2023

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 29(1), 32(4), 236(3) a 256(1) o Ddeddf Rhentu Cartrefi (Cymru) 2016(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 29(1), 32(4), 236(3) and 256(1) of the Renting Homes (Wales) Act 2016(1).

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Rhentu Cartrefi (Diwygiadau Amrywiol) (Cymru) 2023.

(2) Daw'r Rheoliadau hyn i rym ar 6 Rhagfyr 2023.

Title and coming into force

1.—(1) The title of these Regulations is the Renting Homes (Miscellaneous Amendments) (Wales) Regulations 2023.

(2) These Regulations come into force on 6 December 2023.

Diwygio Rheoliadau Rhentu Cartrefi (Gwybodaeth Esboniadol ar gyfer Datganiadau Ysgrifenedig o Gontractau Meddiannaeth) (Cymru) 2022

2.—(1) Mae Rheoliadau Rhentu Cartrefi (Gwybodaeth Esboniadol ar gyfer Datganiadau Ysgrifenedig o Gontractau Meddiannaeth) (Cymru) 2022(2) wedi eu diwygio fel a ganlyn.

Amendments to the Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022

2.—(1) The Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022(2) are amended as follows.

(1) 2016 decc 1. Gweler adran 252 am y diffiniad o "rhagnodedig".
(2) O.S. 2022/22 (Cy. 10).

(1) 2016 anaw 1. See section 252 for the definition of "prescribed".
(2) S.I. 2022/22 (W. 10).

(2) Yn rheoliad 3 (materion rhagnodedig y mae rhaid cynnwys gwybodaeth esboniadol ar eu cyfer yn y datganiad ysgrifenedig o gontract meddiannaeth)—

(a) ym mharagraff (f)—

(i) yn lle “bod rhaid i’r datganiad ysgrifenedig o’r contract meddiannaeth gael ei roi i ddeiliad y contract” rhodder “o ran y datganiad ysgrifenedig o’r contract meddiannaeth”;

(ii) ar ddechrau is-baragraff (i) mewnosoder “caniateir ei roi i ddeiliad y contract cyn y dyddiad meddiannu ac, os nad ydyw, rhaid ei roi i ddeiliad y contract”;

(iii) yn is-baragraff (ii), ar ôl “gontract wedi ei drosi,” mewnosoder “rhaid ei roi i ddeiliad y contract”;

(b) yn lle paragraff (g) rhodder—

“(g) os yw’r landlord yn methu â rhoi’r datganiad ysgrifenedig o’r contract meddiannaeth i ddeiliad y contract o fewn 14 o ddiwrnodau i’r dyddiad meddiannu, caiff y landlord fod yn atebol i dalu digollediad i ddeiliad y contract sy’n cyfateb i ddiwrnod o rent am bob diwrnod na ddarperir y datganiad ysgrifenedig, gan ddechrau â’r dyddiad meddiannu, hyd at uchafswm o ddau fis o rent (oni bai bod methiant y landlord i ddarparu’r datganiad ysgrifenedig yn fwriadol, ac os felly, caiff y llys benderfynu bod swm cynyddol yn daladwy fesul diwrnod)”.

(3) Yn rheoliad 8 (contract safonol cyfnod penodol)—

(a) ym mharagraff (b)(v)(bb)—

(i) yn y testun Saesneg, ar ôl “must give up possession” mewnosoder “,”;

(ii) yn y testun Saesneg, ar ôl “occupation contract is” mewnosoder “a”;

(b) ym mharagraff (b)(v)(cc), yn y testun Saesneg, ar ôl “to the Act,” mewnosoder “the”.

Diwygio Rheoliadau Rhentu Cartrefi (Datganiadau Ysgrifenedig Enghreifftiol o Gontract) (Cymru) 2022

3.—(1) Mae Rheoliadau Rhentu Cartrefi (Datganiadau Ysgrifenedig Enghreifftiol o Gontract) (Cymru) 2022(1) wedi eu diwygio fel a ganlyn.

(1) O.S. 2022/28 (Cy. 13).

(2) In regulation 3 (prescribed matters for which explanatory information must be contained in the written statement of an occupation contract)—

(a) in paragraph (f)—

(i) omit “must be given to the contract-holder within”;

(ii) at the beginning of sub-paragraph (i) insert “may be given to the contract-holder before the occupation date and, if it is not, must be given to the contract-holder within”;

(iii) in sub-paragraph (ii), after “converted contract,” insert “must be given to the contract-holder”;

(b) for paragraph (g) substitute—

“(g) that if the landlord fails to give the written statement of the occupation contract to the contract-holder within 14 days of the occupation date, the landlord may be liable to pay the contract-holder compensation equivalent to a day’s rent for each day that the written statement is not provided, starting with the occupation date, up to a maximum of two months’ rent (unless the landlord’s failure to provide the written statement was intentional in which case, the court may determine that an increased amount per day is payable)”.

(3) In regulation 8 (fixed term standard contract)—

(a) in paragraph (b)(v)(bb)—

(i) in the English language text, after “must give up possession” insert “,”;

(ii) in the English language text, after “occupation contract is” insert “a”;

(b) in paragraph (b)(v)(cc), in the English language text, after “to the Act,” insert “the”.

Amendments to the Renting Homes (Model Written Statements of Contract) (Wales) Regulations 2022

3.—(1) The Renting Homes (Model Written Statements of Contract) (Wales) Regulations 2022(1) are amended as follows.

(1) S.I. 2022/28 (W. 13).

(2) Yn Atodlen 1 (datganiad ysgrifenedig enghreifftiol o gontract meddiannaeth diogel), yn Rhan 1 (contract meddiannaeth diogel – gwybodaeth esboniadol), yn yr ail baragraff, yn lle “y mae’n hwyr” rhodder “(gan ddechrau â’r dyddiad meddiannu) nad yw’r datganiad ysgrifenedig wedi ei ddarparu”.

(3) Yn Atodlen 2 (datganiad ysgrifenedig enghreifftiol o gontract meddiannaeth safonol cyfnodol)—

(a) yn Rhan 1 (contract meddiannaeth safonol cyfnodol – gwybodaeth esboniadol), yn yr ail baragraff, yn lle “y mae’n hwyr” rhodder “(gan ddechrau â’r dyddiad meddiannu) nad yw’r datganiad ysgrifenedig wedi ei ddarparu”;

(b) yn Rhan 3 (contract meddiannaeth safonol cyfnodol – telerau sylfaenol ac atodol)—

(i) yn nheler 47 (tor contract (F+)), ym mharagraff (1), yn y testun Saesneg, yn yr ail le y mae’n digwydd hepgorer “on that ground”;

(ii) yn nheler 60 (terfynu contract yn dilyn hysbysiad a roddir o dan deler 55 (F+))—

(aa) ar ddechrau paragraff (3)(a) mewnosoder “cyn i’r contract hwn ddod i ben, ac yn ystod y cyfnod o 28 o ddiwrnodau sy’n dechrau â’r diwrnod y rhoddwyd yr hysbysiad.”;

(bb) ym mharagraff (3)(b), yn y testun Saesneg, ar ôl “starting with” mewnosoder “the”.

(4) Yn Atodlen 3 (datganiad ysgrifenedig enghreifftiol o gontract meddiannaeth safonol cyfnod penodol ar gyfer cyfnod o lai na saith mlynedd)—

(a) yn Rhan 1 (contract meddiannaeth safonol cyfnod penodol – gwybodaeth esboniadol)—

(i) yn yr ail baragraff, yn lle “y mae’n hwyr” rhodder “(gan ddechrau â’r dyddiad meddiannu) nad yw’r datganiad ysgrifenedig wedi ei ddarparu”;

(ii) ar ôl paragraff (c) mewnosoder yn baragraff newydd—

“Os ydych yn dal i feddiannu’r annedd ar ôl diwedd y cyfnod penodol, rydych chi a’r landlord i’ch trin fel pe baech wedi gwneud contract safonol cyfnodol newydd mewn perthynas â’r annedd.”;

(2) In Schedule 1 (model written statement of a secure occupation contract), in Part 1 (secure occupation contract – explanatory information), in the second paragraph, for “it is late” substitute “(starting with the occupation date) that the written statement has not been provided”.

(3) In Schedule 2 (model written statement of a periodic standard occupation contract)—

(a) in Part 1 (periodic standard occupation contract – explanatory information), in the second paragraph, for “it is late” substitute “(starting with the occupation date) that the written statement has not been provided”;

(b) in Part 3 (periodic standard occupation contract – fundamental and supplementary terms)—

(i) in term 47 (breach of contract (F+)), in paragraph (1), in the English language text, in the second place it occurs omit “on that ground”;

(ii) in term 60 (termination of contract following a notice given under term 55 (F+))—

(aa) at the beginning of paragraph (3)(a) insert “before this contract ends, and during the period of 28 days starting with the day on which the notice was given.”;

(bb) in paragraph (3)(b), in the English language text, after “starting with” insert “the”.

(4) In Schedule 3 (model written statement of a fixed term standard occupation contract for a term of less than seven years)—

(a) in Part 1 (fixed term standard occupation contract – explanatory information)—

(i) in the second paragraph, for “it is late” substitute “(starting with the occupation date) that the written statement has not been provided”;

(ii) after paragraph (c) insert as a new paragraph—

“If you remain in occupation of the dwelling after the end of the fixed term, you and the landlord are to be treated as having made a new periodic standard contract in relation to the dwelling.”;

- (b) yn Rhan 2 (contract meddiannaeth safonol cyfnod penodol – materion allweddol), yn y paragraff cyntaf, yn lle “a nodir isod” rhodder “o _____ (mewn osoder cyfnod y contract meddiannaeth mewn dyddiau/wythnosau/misoedd/blynnyddoedd)”;
- (c) yn Rhan 3 (contract safonol cyfnod penodol – telerau sylfaenol ac atodol), ar ddiwedd is-bennawd teler 39 (hysbysiadau adennill meddiant) mewnosoder “(F+)”.

- (b) in Part 2 (fixed term standard occupation contract – key matters), in the first paragraph, for “set out below” substitute “of _____ (insert the term of the occupation contract in days/weeks/months/years)”;
- (c) in Part 3 (fixed term standard contract – fundamental and supplementary terms), at the end of the sub-heading of term 39 (possession notices) insert “(F+)”.

Diwygio Rheoliadau Rhentu Cartrefi (Ffurfiâu Rhagnodedig) (Cymru) 2022

4. Yn Rheoliadau Rhentu Cartrefi (Ffurfiâu Rhagnodedig) (Cymru) 2022(1), yn yr Atodlen (ffurfiâu rhagnodedig), yn ffurflen RHW17 (hysbysiad y landlord o derfynu: contract safonol cyfnodol gyda chyfnod hysbysu byrraf a ganiateir o ddau fis (heblaw contract safonol rhagarweiniol neu contract safonol ymddygiad gwaharddedig)), yn y nodiadau cyfarwyddyd ar gyfer deiliaid contract—

- (a) o dan y pennawd “Cyfnod hysbysu byrraf a ganiateir o ddau fis”—
 - (i) ar ddiwedd “Gall contract meddiannaeth fod â chyfnod hysbysu byrraf a ganiateir o ddau fis oherwydd” hepgorer “:.”;
 - (ii) hepgorer paragraff a) a’r “neu” ar ei ôl;
 - (iii) hepgorer “b)”;
- (b) o dan y pennawd “Cyfyngiadau ar roi’r hysbysiad hwn”, o dan yr is-bennawd “Pedwar/chwe mis cyntaf meddiannaeth”—
 - (i) hepgorer y geiriau o “Os oedd y contract meddiannaeth yn denantiaeth fyrddaliol sicr” hyd at “ddyddiad meddiannu’r contract.”;
 - (ii) yn lle “Yn y naill achos neu’r llall, nid” rhodder “Nid”.

Amendments to the Renting Homes (Prescribed Forms) (Wales) Regulations 2022

4. In the Renting Homes (Prescribed Forms) (Wales) Regulations 2022(1), in the Schedule (prescribed forms), in form RHW17 (landlord’s notice of termination: periodic standard contract with two-month minimum notice period (other than introductory standard contract or prohibited conduct standard contract)), in the guidance notes for contract-holders—

- (a) under the heading “Two-month minimum notice period”—
 - (i) at the end of “An occupation contract may have a two-month minimum notice period because” omit “:.”;
 - (ii) omit paragraph a) and the “or” after it;
 - (iii) omit “b)”;
- (b) under the heading “Restrictions on giving this notice”, under the sub-heading “First four/six months of occupation”—
 - (i) omit the words from “If the occupation contract was an assured shorthold tenancy” to “occupation date of the contract.”;
 - (ii) for “In either case, this” substitute “This”.

Julie James

Y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru
8 Tachwedd 2023

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

Minister for Climate Change, one of the Welsh Ministers
8 November 2023

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(1) O.S. 2022/244 (Cy. 72). Rhoddir effaith i Ffurflen RHW17 gan reoliad 20.

(1) S.I. 2022/244 (W. 72). Form RHW17 is given effect by regulation 20.

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