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WELSH STATUTORY INSTRUMENTS

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**2018 No. 777 (W. 158) (C. 60)**

**HOUSING, WALES**

**The Regulation of Registered Social Landlords (Wales) Act  
2018 (Commencement and Transitional Provision) Order 2018**

Made - - - -

14 June 2018

The Welsh Ministers make the following Order in exercise of the powers conferred by section 19(2) and (3) of the Regulation of Registered Social Landlords (Wales) Act 2018<sup>(1)</sup>.

**Title and interpretation**

1.—(1) The title of this Order is the Regulation of Registered Social Landlords (Wales) Act 2018 (Commencement and Transitional Provision) Order 2018.

(2) In this Order—

“the Act” (“*y Ddeddf*”) means the Regulation of Registered Social Landlords (Wales) Act 2018;

“the 1996 Act” (“*Deddf 1996*”) means the Housing Act 1996<sup>(2)</sup>;

“disposal proceeds fund” (“*cronfa enillion o warediadau*”) means a fund under section 24<sup>(3)</sup> of the 1996 Act.

**Provisions coming into force on 15 June 2018**

2. The appointed day for the following provisions of the Act coming into force is 15 June 2018—

(a) section 1 (overview of the Act);

(b) section 2 (meaning of “the 1996 Act”); and

(c) section 18 (power to make further consequential amendments etc.).

**Provisions coming into force on 15 August 2018**

3. The following provisions of the Act come into force on 15 August 2018—

(a) sections 3 to 5 (notification by registered social landlord of constitutional changes, etc.);

(b) sections 6 to 9 (powers exercisable in respect of officers and management of registered social landlord);

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(1) 2018 anaw 4.

(2) 1996 c.52.

(3) Section 24 has been amended by section 61 of the Housing and Regeneration Act 2008 (c. 17), and S.I. 2010/866.

- (c) section 10 (powers exercisable in respect of inquiries etc.);
- (d) sections 11 and 12 (enforcement notices and penalties);
- (e) sections 13 to 15 (disposal of land);
- (f) section 16 and Schedule 1 (limit on local authority board membership and voting rights);  
and
- (g) section 17 and Schedule 2 (minor and consequential amendments).

### **Transitional provision**

4.—(1) Section 15 of the Act does not have effect, in relation to a registered social landlord, until the earliest of—

- (a) the date on which the funds in that registered social landlord’s disposal proceeds fund are fully exhausted; or
- (b) the date on which the registered social landlord notifies the Welsh Ministers that it is unable to use or allocate, or continue to use or allocate, funds in that registered social landlord’s disposal proceeds fund in accordance with a determination made by the Welsh Ministers under section 25 of the 1996 Act<sup>(4)</sup>; or
- (c) 15 August 2021.

(2) Notwithstanding paragraph (1), a registered social landlord which has a disposal proceeds fund on 15 August 2018 is not required under section 24 of the 1996 Act to account for the proceeds of any disposal after that date within its disposal proceeds fund.

(3) If within the period set out in paragraph (1) a registered social landlord (A) transfers its disposal proceeds fund to another registered social landlord (B), then B’s management of that fund is treated under paragraph (1) as if it were A.

*Rebecca Evans*  
Minister for Housing and Regeneration, under  
the authority of the Cabinet Secretary for Local  
Government and Public Services, one of the  
Welsh Ministers

14 June 2018

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(4) 1996 c. 52. Section 25 has been amended by section 61 of the Housing and Regeneration Act 2008 (c. 17).

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force provisions of the Regulation of Registered Social Landlords (Wales) Act 2018 (“the Act”).

Article 2 appoints 15 June 2018 as the coming into force date of sections 1, 2 and 18 of the Act which are technical provisions, and the power to make consequential amendments etc.

Article 3 appoints 15 August 2018 as the coming into force date for any provision of the Act to the extent that it has not already been commenced before this date.

Article 4 makes a transitional provision in respect of the removal of the requirement to hold a disposal proceeds fund.