

## SCHEDULE 1

(introduced by section 14)

### REGISTER OF PRIVATE RENTED HOUSING

#### PART 1

#### CONTENT OF REGISTER

##### *Landlords*

- 1 An entry in the register relating to a landlord must record the following—
- (a) the name of the landlord;
  - (b) if the landlord is a body corporate, the address of the landlord's registered or principal office;
  - (c) the address of each rental property in the licensing authority's area for which the landlord is the landlord;
  - (d) the name and licence number of any person appointed by the landlord to carry out lettings work or property management work on behalf of the landlord and the address of each rental property to which the appointment relates;
  - (e) the landlord's registration number;
  - (f) the date the landlord was registered;
  - (g) where a licence has been granted to the landlord—
    - (i) the date the licence was granted or is renewed;
    - (ii) the licence number;
    - (iii) whether the licence has been amended under section 24; and if it has the date the amendment took effect;
    - (iv) whether the licence has expired without being renewed, or has been revoked; and if it has the date of expiry or revocation;
  - (h) where an application by the landlord for a licence has been refused by the licensing authority—
    - (i) the date of the refusal;
    - (ii) whether the refusal was appealed under section 27;
  - (i) where the licensing authority's refusal of an application was appealed, if the tribunal or court confirmed the authority's decision, the date of that decision;
  - (j) where a residential property tribunal has made a rent stopping order (see section 30) in respect of a rental property for which the landlord is the landlord—
    - (i) that such an order has been made;
    - (ii) the date the order took effect;
    - (iii) the date on which the order ceased to have effect (see section 31).

##### *Agents*

- 2 An entry in the register for a person licensed to carry out lettings work and property management work on behalf of a landlord must record the following—
- (a) the name of the person;

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- (b) the correspondence address of the person;
- (c) if the person is a body corporate, the address of the person's registered or principal office;
- (d) if the person is carrying out lettings work and property management work on behalf of a landlord in the course of a business, the address of any premises in the area of the licensing authority used for that purpose;
- (e) where a licence has been granted to the person by the licensing authority—
  - (i) the date the licence was granted;
  - (ii) the licence number;
  - (iii) whether the licence has been amended under section 24; and if so the date on which the amendment took effect;
- (f) where an application by the person for a licence has been refused by the licensing authority—
  - (i) the date of the refusal;
  - (ii) whether the refusal was appealed under section 27;
- (g) where the licensing authority's refusal of an application was appealed, if the tribunal or court confirmed the authority's decision, the date of that decision.

## PART 2

### ACCESS TO REGISTER

- 3 (1) A licensing authority must notify a person of the information mentioned in subparagraph (2) if that person makes a request for the information and provides the authority with the address of a rental property which is on its register.
- (2) The information is—
- (a) the name of the landlord of the property and the name of any person appointed to carry out lettings work and property management work on behalf of the landlord in relation to the property;
  - (b) whether the landlord or person appointed to carry out lettings work and property management work on behalf of the landlord (as applicable) is licensed;
  - (c) if a rent stopping order under section 30 is in effect in relation to the property, that such an order is in effect.
- 4 (1) A licensing authority must notify a person of the information mentioned in subparagraph (2) if that person makes a request for the information and provides the authority with—
- (a) the name of a landlord of a rental property in an area for which the authority is the licensing authority, or
  - (b) the name of a person appointed to carry out lettings work and property management work on behalf of the landlord in relation to any such property.
- (2) The information is—
- (a) whether the landlord is registered;
  - (b) whether the landlord or person appointed to carry out lettings work and property management work on behalf of the landlord (as applicable) is licensed.

- 5 (1) A licensing authority must notify a person of the information mentioned in sub-paragraph (2) if that person requests the information and provides the authority with—
- (a) the registration number or licence number of a landlord of a rental property in the area for which the authority is the licensing authority, or
  - (b) the licence number of a person appointed to carry out lettings work and property management work on behalf of a landlord in relation to any such property.
- (2) The information is—
- (a) the name of the landlord and any person appointed to carry out lettings work and property management work on behalf of the landlord (as applicable);
  - (b) whether the landlord is registered;
  - (c) whether the landlord or any person appointed to carry out lettings work and property management work on behalf of the landlord (as applicable) is licensed.

## SCHEDULE 2

(introduced by section 61)

### ELIGIBILITY FOR HELP UNDER CHAPTER 2 OF PART 2

#### *Persons not eligible for help*

- 1 (1) A person is not eligible for help under section 66, 68, 73 or 75 if he or she is a person from abroad who is ineligible for housing assistance.
- (2) A person who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996 is not eligible for housing assistance unless the person falls within a class of persons prescribed by regulations made by the Welsh Ministers or the Secretary of State.
- (3) No person who is excluded from entitlement to universal credit or housing benefit by section 115 of the Immigration and Asylum Act 1999 (exclusion from benefits) may be included in any class prescribed under sub-paragraph (2).
- (4) The Welsh Ministers or the Secretary of State may by regulations provide for other descriptions of persons who are to be treated for the purposes of Chapter 2 of Part 2 as persons from abroad who are ineligible for housing assistance.
- (5) A person who is not eligible for housing assistance is to be disregarded in determining for the purposes of Chapter 2 of Part 2 whether a person falling within sub-paragraph (6)—
- (a) is homeless or threatened with homelessness, or
  - (b) has a priority need for accommodation.
- (6) A person falls within this subsection if the person—
- (a) falls within a class prescribed by regulations made under sub-paragraph (2), and
  - (b) is not a national of an EEA State or Switzerland.

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*Asylum-seekers and their dependants: transitional provision*

- 2 (1) Until the commencement of the repeal of section 186 of the Housing Act 1996 (asylum-seekers and their dependants), that section applies to Chapter 2 of Part 2 of this Act as it applies to Part 7 of that Act.
- (2) For this purpose, in section 186 of the Housing Act 1996—
- (a) the reference to section 185 of that Act is to be interpreted as a reference to paragraph 1, and
  - (b) the reference to “this Part” is to be interpreted as a reference to Chapter 2 of Part 2 of this Act and not Part 7 of that Act.

*Provision of information by Secretary of State*

- 3 (1) The Secretary of State must, at the request of a local housing authority, provide the authority with such information as it may require—
- (a) as to whether a person is a person to whom section 115 of the Immigration and Asylum Act 1999 (exclusion from benefits) applies, and
  - (b) to enable it to determine whether such a person is eligible for help under Chapter 2 of Part 2.
- (2) Where that information is given otherwise than in writing, the Secretary of State must confirm it in writing if a written request is made to the Secretary of State by the authority.
- (3) If it appears to the Secretary of State that any application, decision or other change of circumstances has affected the status of a person about whom information was previously provided to a local housing authority under this paragraph, the Secretary of State must inform the authority in writing of that fact, the reason for it and the date on which the previous information became inaccurate.

SCHEDULE 3 (as introduced by sections, 100, 110, 130,  
139 and 141)

MINOR AND CONSEQUENTIAL AMENDMENTS

**PART 1**

HOMELESSNESS

*Housing Act 1985*

- 1 In paragraph 4 of Schedule 1 to the Housing Act 1985 (tenancies which are not secure tenancies), after “(homelessness)” insert “or Part 2 of the Housing (Wales) Act 2014 (homelessness)”.

*Housing Act 1996*

- 2 The Housing Act 1996 is amended as follows.

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- 3 In section 167 (allocation of housing accommodation in accordance with allocation scheme: Wales)—
- (a) in subsection (2)—
    - (i) in paragraph (a), for “(within the meaning of Part 7)” substitute “(within the meaning of Part 2 of the Housing (Wales) Act 2014)”;
    - (ii) for paragraph (b) substitute—
      - “(b) people who are owed any duty by a local housing authority under section 66, 73 or 75 of the Housing (Wales) Act 2014;”
  - (b) in subsection (2ZA), for “Part 7” substitute “Part 2 of the Housing (Wales) Act 2014”;
  - (c) in subsection (2A)(c), for “section 199” substitute “section 81 of the Housing (Wales) Act 2014”.
- 4 In the Part title of Part 7 (homelessness), after “Homelessness” insert “: England”.
- 5 In subsection (1) of section 179 (duty of local housing authority to provide advisory services), after “local housing authority” insert “in England”.
- 6 In subsection (1) of section 180 (assistance for voluntary organisations), after “local housing authority” insert “in England”.
- 7 In subsection (1) of section 182 (guidance by the Secretary of State), after “social services authority” insert “in England”.
- 8 In subsection (1) of section 183 (application for assistance), after “local housing authority” insert “in England”.
- 9 In subsection (1) of section 187 (provision of information by Secretary of State), after “local housing authority” insert “in England”.
- 10 In section 193 (duty to persons with priority need who are not homeless intentionally)—
- (a) in subsection (10), for “appropriate authority” substitute “Secretary of State”;
  - (b) omit subsection (12).
- 11 In section 198 (referral of case to another local housing authority)—
- (a) after subsection (4) insert—
    - “(4A) Subsection (4) is to be construed, in a case where the other authority is an authority in Wales, as if the reference to “this Part” were a reference to Part 2 of the Housing (Wales) Act 2014.”
  - (b) in subsection (5), after “case” insert “which does not involve a referral to a local housing authority in Wales”;
  - (c) after that subsection, insert—
    - “(5A) The question whether the conditions for referral of a case involving a referral to a local housing authority in Wales shall be decided by agreement between the notifying authority and the notified authority or, in default of agreement, in accordance with such arrangements as the Secretary of State and the Welsh Ministers may jointly direct by order.”;

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- (d) in subsection (6)(b), after “Secretary of State” insert “or, in the case of an order under subsection (5A), to the Secretary of State and the Welsh Ministers”;
  - (e) in subsection (7)—
    - (i) for “No such order shall” substitute “An order under this section shall not”; and
    - (ii) at the end, insert “and, in the case of a joint order, a resolution of the National Assembly for Wales”.
- 12 In subsection (4) of section 200 (duties to applicant whose case is considered for referral or referred)—
- (a) after “met” insert “and the notified authority is not an authority in Wales”, and
  - (b) at the end, insert “; for provision about cases where it is decided that those conditions are met and the notified authority is an authority in Wales, see section 83 of the Housing (Wales) Act 2014 (cases referred from a local housing authority in England)”.
- 13 After section 201 (application of referral provisions to cases arising in Scotland) insert—

**“201A Cases referred from a local housing authority in Wales**

- (1) This section applies where an application has been referred by a local housing authority in Wales to a local housing authority in England under section 80 of the Housing (Wales) Act 2014 (referral of case to another local housing authority).
  - (2) If it is decided that the conditions in that section for referral of the case are met, the notified authority are subject to the duty under section 193 of this Act in respect of the person whose case is referred (the main housing duty); for provision about cases where it is decided that the conditions for referral are not met, see section 82 of the Housing (Wales) Act 2014 (duties to applicant whose case is considered for referral or referred).
  - (3) References in this Part to an applicant include a reference to a person to whom a duty is owed by virtue of subsection (2).”
- 14 In subsection (1) of section 213 (co-operation between relevant housing authorities and bodies), after “local housing authority” insert “in England”.

*Homelessness Act 2002*

- 15 The Homelessness Act 2002 is amended as follows.
- 16 In the cross-heading above section 1, after “strategies” insert “: England”.
- 17 In section 1 (duty of local housing authority to formulate a homelessness strategy)—
- (a) in subsections (1) and (5), after “local housing authority” insert “in England”;
  - (b) in the heading, after “local housing authority” insert “in England”.
- 18 In subsection (7A) of section 3 (homelessness strategies), omit “in England”.

*Mental Health (Wales) Measure 2010*

- 19 In subsection (1)(a) of section 50 of the Mental Health (Wales) Measure 2010 (meaning of housing or well-being services), for “Part 7 of that Act” substitute “Part 2 of the Housing (Wales) Act 2014”.

*Legal Aid, Sentencing and Punishment of Offenders Act 2012*

- 20 (1) The Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.
- (2) In paragraph 34 of Part 1 of Schedule 1 (homelessness)—
- (a) in sub-paragraph (1), after paragraph (b) insert—
    - “(c) Part 2 of the Housing (Wales) Act 2014 (homelessness).”;
  - (b) in sub-paragraph (3) for “as in section 175 of the Housing Act 1996” substitute “—
    - (a) as in section 175 of the Housing Act 1996 in cases where sub-paragraph (1) applies in relation to the provision of accommodation and assistance under—
      - (i) Part 6 of that Act as it relates to England;
      - (ii) Part 7 of that Act;
    - (b) as in section 55 of the Housing (Wales) Act 2014 in cases where sub-paragraph (1) applies in relation to the provision of accommodation and assistance under—
      - (i) Part 6 of the Housing Act 1996 as it relates to Wales;
      - (ii) Part 2 of the Housing (Wales) Act 2014.”

*Prevention of Social Housing Fraud Act 2013*

- 21 In subsection (7)(d) of section 7 of the Prevention of Social Housing Fraud Act 2013 (regulations about powers to require information), after “Housing Act 1996” insert “or under Part 2 of the Housing (Wales) Act 2014”.

*Social Services and Well-being (Wales) Act 2014*

- 22 (1) The Social Services and Well-being (Wales) Act 2014 is amended as follows.
- (2) In paragraph (a) of section 48 (exception for provision of housing etc), for “Housing Act 1996” substitute “Housing (Wales) Act 2014”.
- (3) In the table in Schedule 2 (social services functions)—
- (a) omit the entry for the Housing Act 1996;
  - (b) after the entry for the Care Act 2014 insert—

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<b>“Housing (Wales) Act 2014</b> Section 95(2), (3) and (4); but only where those functions apply by virtue of subsection (5)(b) of that section.	Co-operation and information sharing in relation to homeless persons and persons threatened with homelessness.”
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## PART 2

### GYPSIES AND TRAVELLERS

#### *Local Government Act 2003*

- 23 (1) The definition of “housing” in subsection (4) of section 87 of the Local Government Act 2003 (housing strategies and statements) is amended as follows—
- (a) omit the words “section 225 of the Housing Act 2004”, and
  - (b) after “of” where it first occurs insert—
    - “(a) section 225 of the Housing Act 2004, in the case of a local housing authority in England;
    - (b) Part 3 of the Housing (Wales) Act 2014, in the case of a local housing authority in Wales.”

#### *Housing Act 2004*

- 24 (1) The Housing Act 2004 is amended as follows.
- (2) In section 225 (duties of local housing authorities: accommodation needs of Gypsies and Travellers)—
- (a) in subsection (1), after “local housing authority” insert “in England”,
  - (b) in subsection (2), after “local housing authority” insert “in England”,
  - (c) in the definition of “gypsies and travellers” in subsection (5), for “appropriate national authority” substitute “Secretary of State”, and
  - (d) in the heading, after “local housing authorities” insert “in England”.
- (3) In subsection (1) of section 226 (guidance in relation to section 225)—
- (a) for “appropriate national authority” substitute “Secretary of State”, and
  - (b) after “local housing authorities” where it first occurs insert “in England”.

#### *Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (Wales) Regulations 2007 (S.I. 2007/3235)*

- 25 The [Housing \(Assessment of Accommodation Needs\) \(Meaning of Gypsies and Travellers\) \(Wales\) Regulations 2007 \(S.I. 2007/3235\)](#) are revoked.

#### *Mobile Homes (Wales) Act 2013*

- 26 (1) The Mobile Homes (Wales) Act 2013 is amended as follows.
- (2) In the definition of “Gypsies and Travellers” in section 62 (other interpretation), for the words from “persons” where it first occurs to the end substitute “—
- (a) persons of a nomadic habit of life, whatever their race or origin, including—
    - (i) persons who, on grounds only of their own or their family’s or dependant’s educational needs or old age, have ceased to travel temporarily or permanently, and
    - (ii) members of an organised group of travelling show people or circus people (whether or not travelling together as such); and
  - (b) all other persons with a cultural tradition of nomadism or of living in a mobile home;”.



- (3) In sub-paragraph (1) of paragraph 10 of Schedule 1 (travelling showmen), after “a” where it first occurs insert “non-local authority owned”.

### PART 3

#### STANDARDS FOR SOCIAL HOUSING

##### *Housing Act 1985*

- 27 In section 24 (rents for occupation of local housing authority houses) of the Housing Act 1985—
- (a) omit subsections (3) and (4);
  - (b) after subsection (5), insert—
    - “(6) In exercising its functions under this section, a local housing authority in Wales must—
    - (a) comply with any standards relating to rent or service charges which are set for it under section 111 of the Housing (Wales) Act 2014, and
    - (b) have regard to any guidance relating to rent or service charges which is issued under section 112 of that Act.”

##### *Housing Act 1996*

- 28 (1) The Housing Act 1996 is amended as follows.
- (2) In section 33A (standards of performance to be met by registered social landlords) after subsection (2), insert—
- “(2A) Standards set under subsection (1) may require registered social landlords to comply with rules specified in the standards.
  - (2B) The Welsh Ministers may—
    - (a) revise the standards by issuing further standards under this section;
    - (b) withdraw the standards by issuing further standards under this section or by notice.
  - (2C) The Welsh Ministers must publish any standards or notice under this section.”
- (3) In section 33B (guidance from Welsh Ministers on standards for registered social landlords)—
- (a) for subsection (3) substitute—
    - “(3) The Welsh Ministers may—
    - (a) revise the guidance by issuing further guidance under this section;
    - (b) withdraw the guidance by issuing further guidance under this section or by notice.”
  - (b) for subsection (4) substitute—

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“(4) The Welsh Ministers must publish any guidance or notice under this section.”

- (4) In section 33C (consultation before setting standards for registered social landlords or issuing guidance on standards), after “setting” insert “, revising or withdrawing”.

## PART 4

### COUNCIL TAX FOR CERTAIN TYPES OF DWELLING

#### *Local Government Finance Act 1992*

- 29 (1) The Local Government Finance Act 1992 is amended as follows.
- (2) In section 11(2) (discounts), for “and 12” substitute “, 12, 12A and 12B”.
- (3) In section 12 (discounts: special provision for Wales), after subsection (4) insert—
- “(4A) Subsections (3) and (4) are subject to section 12A(6) and 12B(7).”
- (4) In section 13(3) (reduced amounts), for “or 12” substitute “, 12, 12A or 12B”.
- (5) In section 66(2)(b) (judicial review), for “or 12” substitute “, 12, 12A or 12B”.
- (6) In section 67(2)(a) (functions to be discharged only by authority), for “or 12” substitute “, 12, 12A or 12B”.
- (7) In Schedule 2 (administration), in paragraph 4(7) for “(higher amount of tax for empty dwellings)” substitute “(higher amount of tax for empty dwellings: England), 12A(1)(b) (higher amount of tax for empty dwellings: Wales) or 12B(1)(b) (higher amount of tax for dwellings occupied periodically: Wales)”.

## PART 5

### AMENDMENTS TO THE MOBILE HOMES (WALES) ACT 2013

- 30 (1) The Mobile Homes (Wales) Act 2013 is amended as follows.
- (2) In section 29(3) (decision whether a person is fit and proper to manage a site), for paragraph (b) substitute—
- “(b) practised unlawful discrimination or harassment on the grounds of any characteristic which is a protected characteristic under section 4 of the Equality Act 2010, or victimised another person contrary to that Act, in or in connection with the carrying on of any business, or”.
- (3) In section 33 (repayment orders)—
- (a) omit subsection (7);
- (b) in subsection (8) for “(11)” substitute “(10)”;
- (c) in subsection (9)(c) for “at any time” substitute “previously”.
- (4) In section 39(1) (interpretation of Part 2) omit the definition of “fire and rescue authority” and insert it into section 62 (other interpretation) at the appropriate place.

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- (5) In section 49(4) (particulars of mobile home agreements) for “Act” substitute “Part”.
- (6) In section 53(4) (successors in title) for “Act” substitute “Part”.
- (7) In section 61(7) (meaning of “qualifying residents’ association”) omit the definitions of “arbitration agreement” and “tribunal”.