

RENTING HOMES (WALES) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 10 – Miscellaneous

Chapter 1 – Further Provisions Relating to Occupation Contracts

Section 233 – Effect of reaching 18

494. **Section 7(6)** provides that a person under the age of 18 cannot be a contract-holder under an occupation contract, and paragraph 7(2) of Schedule 2 provides that where all the tenants or licensees living in a dwelling are under 18, there is no occupation contract. This section concerns what happens when either-
- a. a person below the age of 18 who is the only tenant or licensee in relation to a dwelling reaches the age of 18, or
 - b. where there is a tenancy or licence with more than one tenant or licensee and all the tenants are under 18, the eldest tenant or licensee reaches the age of 18.
495. In either of those circumstances it is necessary to determine whether the tenancy or licence is an occupation contract and, if so, whether it is a standard or secure contract and who the contract-holder(s) will be. This section provides that those questions (which will be answered in accordance with the rest of the Act, and with regard to the particular circumstances that arise) are to be answered on the basis that the tenancy or licence was made on the day the person turned 18.