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WELSH STATUTORY INSTRUMENTS

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**2006 No. 178 (W.29)**

**HOUSING, WALES**

**The Approval of Codes of Management Practice  
(Residential Property) (Wales) Order 2006**

*Made* - - - - 2006  
*Coming into force* - - 1 February 2006

The National Assembly for Wales, in exercise of the powers conferred by sections 87 and 100 of the Leasehold Reform, Housing and Urban Development Act 1993<sup>(1)</sup> on the Secretary of State and now vested in the National Assembly for Wales<sup>(2)</sup>, and being satisfied that appropriate arrangements have been made for publishing the code approved by this Order, hereby makes the following Order:

**Title, commencement and application**

1.—(1) The title of this Order is the Approval of Codes of Management Practice (Residential Property) (Wales) Order 2006 and it comes into force on 1 February 2006.

(2) This Order applies in relation to the management of residential properties in Wales.

**Approval of code of practice**

2. *The Rent Only Residential Management Code* (ISBN 184219 2094), which was submitted for approval on 6 October 2005 by the Royal Institution of Chartered Surveyors and is to be published by RICS Business Services Limited, is approved.

**Withdrawal of approval**

3. The approval of the *Rent Only Residential Management Code* (ISBN 085406 642 X) which was given by the Approval of Codes of Management Practice (Residential Property) Order 1996<sup>(3)</sup> is withdrawn.

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(1) 1993 c. 28; section 87 was amended by section 150 of, and Schedule 9 to, the Commonhold and Leasehold Reform Act 2002 (c. 15).  
(2) The functions of the Secretary of State under sections 87 and 100 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) and section 177 of the Commonhold and Leasehold Reform Act 2002.  
(3) S.I. 1996/2839.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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**Transitional provision**

4. Articles 2 and 3 do not apply for the purposes of section 87(7)(a) and (b) of the Leasehold Reform, Housing and Urban Development Act 1993 (use of code in proceedings) in relation to an act or omission occurring before this Order comes into force.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

31 January 2006

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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## EXPLANATORY NOTE

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

By this Order the National Assembly for Wales approves a code of practice relating to the management of residential property by landlords and others who discharge the management function. The approved code is the Rent Only Residential Management Code (ISBN 184219 2094) and is to be published by the Royal Institution of Chartered Surveyors.

By this Order the Assembly also withdraws the approval given in the Approval of Codes of Management Practice (Residential Property) Order 1996 ([SI 1996/2839](#)) for a code called the Rent Only Residential Management Code (ISBN 085406 642 X).

Section 87(7) of the Leasehold Reform, Housing and Urban Development Act 1993 provides that failure to comply with any provision of an approved code of practice does not of itself render any person liable to any proceedings, but in any proceedings the code of practice is admissible as evidence and any provision which appears to be relevant to any question arising in the proceedings will be taken into account.

The approval and withdrawal provided for in this Order apply to the management of residential properties in Wales and are subject to the transitional provision in article 4.