
WELSH STATUTORY INSTRUMENTS

2022 No. 1166

**The Renting Homes (Wales) Act 2016
(Consequential Amendments) Regulations 2022**

Housing Act 1996

- 25.**—(1) The Housing Act 1996(1) is amended as follows.
- (2) In section 42(2)(moratorium on disposal of land, &c), for subsection (3), substitute—
- “**(3)** Consent is not required under this section for a letting of land under an occupation contract.”
- (3) In Part 5, in the heading of Chapter 1, after “Tenancies”, insert “: England”.
- (4) In section 124(3) (introductory tenancies)—
- (a) in subsection (1), after “regime”, insert “in England”;
- (b) omit subsection (2);
- (c) in subsection (2A)—
- (i) for “subsections (1A)(b) and (2)(b)”, substitute “subsection (1A)(b)”,
- (ii) at the end of paragraph (a), omit “or”, and
- (iii) omit paragraph (b);
- (d) in subsection (3), for “Subsections (1A) and (2)”, substitute “Subsection (1A)”.
- (5) Omit section 131(4) (persons qualified to succeed tenant to introductory tenancy: Wales).
- (6) In section 133(5) (succession to introductory tenancy), omit subsection (2).
- (7) In Part 5, in the heading of Chapter 1A(6), after “Tenancies”, insert “: England”.
- (8) In section 143A(7) (demoted tenancies), in subsection (1), after “dwelling-house”, insert “in England”.
- (9) Omit section 143H(8) (succession to demoted tenancy: Wales).

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- (1) 1996 c. 52.
- (2) Section 42 was amended by section 61 of the Housing and Regeneration Act 2008 (c. 17) and section 17 of and paragraphs 2 and 11 of Schedule 2 to the Regulation of Registered Social Landlords (Wales) Act 2018 (anaw 4).
- (3) Section 124 was amended by article 5 of and paragraphs 81 and 96 of Schedule 2 to the Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866) and will be further amended by section 118 of and paragraphs 19 and 20 of Schedule 7 to the Housing and Planning Act 2016 (c. 22).
- (4) Section 131 was amended by article 20 of the Civil Partnership (Family Proceedings and Housing Consequential Amendments) Order 2005 (S.I. 2005/3336) and will be further amended by section 120 of and paragraph 8 of Schedule 8 to the Housing and Planning Act 2016 (c. 22).
- (5) Section 133 was amended by sections 81 and 261(4) of and paragraph 53 of Schedule 8 and Schedule 30 to the Civil Partnership Act 2004 (c. 33) and will be further amended by section 120 of and paragraph 9 of Schedule 8 to the Housing and Planning Act 2016 (c. 22).
- (6) Chapter 1A was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38).
- (7) Section 143A was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38) and will be further amended by section 118 of and paragraphs 19 and 25 to Schedule 7 of the Housing and Planning Act 2016 (c. 22).
- (8) Section 143H was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38) and amended by section 81 of and paragraph 55 of Schedule 8 to the Civil Partnership Act 2004 (c. 33) and will be further amended by section 120 of and paragraph 11 of Schedule 8 to the Housing and Planning Act 2016 (c. 22).

- (10) In section 143I(9) (no successor tenant: termination), in subsection (1), omit “or 143H(3)”.
- (11) In section 143J(10) (successor tenants)—
- (a) in subsection (1), for “sections 143H and”, substitute “section”;
 - (b) in subsection (7)(a), omit “or 143H(4) or (5)”.
- (12) In section 159(11) (allocation of housing accommodation)—
- (a) in subsection (2), at the end of paragraph (b), omit “or”;
 - (b) in subsection (2), after paragraph (c), insert—
 - “(d) select a person to be a tenant under a secure contract or an introductory standard contract of housing accommodation held by them, or
 - (e) nominate a person to be a tenant under a secure contract or an introductory standard contract of housing accommodation held by another person.”;
 - (c) in subsection (3)—
 - (i) after “secure tenant”, insert “, and the reference in subsection (2)(d) to selecting a person to be a tenant under a secure contract or an introductory standard contract,”;
 - (ii) after “secure tenancy”, insert “, a secure contract or an introductory standard contract”;
 - (d) in subsection (4), after “(2)(b)”, for “and (c)”, substitute “, (c) and (e)”;
 - (e) in subsection (5)—
 - (i) after “already a”, insert “tenant under a”;
 - (ii) after “secure”, insert “contract”;
 - (iii) for “introductory tenant”, substitute “an introductory standard contract”.
- (13) In section 160(12) (cases where provisions about allocation do not apply), after subsection (3), insert—
- “(3A) They do not apply where—
- (a) a person succeeds to a secure occupation contract under section 73 (succession on death), section 78 (more than one qualified successor), or section 80 (substitute succession on early termination) of the Renting Homes (Wales) Act 2016 (anaw 1),
 - (b) a secure contract is transferred to a potential successor under section 114 of that Act (transfer to potential successor),
 - (c) a secure contract is transferred to another secure contract-holder under section 118 of that Act (transfer to another secure contract-holder),
 - (d) a secure contract or a standard introductory contract vests or is otherwise disposed of in pursuance of an order under—
 - (i) section 24 of the Matrimonial Causes Act 1973 (c. 18) (property adjustment orders in connection with divorce proceedings, etc.),

(9) Section 143I was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38) and amended by section 81 of and paragraph 56 of Schedule 8 to the Civil Partnership Act 2004 (c. 33) and will be further amended by section 120 of and paragraph 12 of Schedule 8 to the Housing and Planning Act 2016 (c. 22).

(10) Section 143J was inserted by section 14(5) of and paragraph 1 of Schedule 1 to the Anti-social Behaviour Act 2003 (c. 38) and amended by section 81 of and paragraph 57 of Schedule 8 to the Civil Partnership Act 2004 (c. 33) and will be further amended by section 120 of and paragraphs 12 and 13 of Schedule 8 to the Housing and Planning Act 2016 (c. 22).

(11) Section 159 was amended by article 5 of and paragraphs 81 and 100 of Schedule 2 to the Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), section 145 of the Localism Act 2011 (c. 20) and section 13 of the Homelessness Act 2002 (c. 7).

(12) Section 160 was amended by section 159 of the Localism Act 2011 (c. 20) and sections 81 and 261(4) of and paragraph 60 of Schedule 8 and Schedule 30 to the Civil Partnership Act 2004 (c. 33).

- (ii) section 17(1) of the Matrimonial and Family Proceedings Act 1984 (c. 42) (orders for financial provision and property adjustment),
 - (iii) paragraph 1 of Schedule 1 to the Children Act 1989 (c. 41) (orders for financial relief against parents), or
 - (iv) Part 2 of Schedule 5, or paragraph 9(2) or (3) of Schedule 7 to the Civil Partnership Act 2004 (c. 33) (property adjustment orders in connection with civil partnership proceedings or overseas dissolution of civil partnership, etc.), or
 - (e) an introductory standard contract becomes—
 - (i) a secure contract under section 16 of the Renting Homes (Wales) Act 2016 (anaw 1) (introductory standard contracts), or
 - (ii) a prohibited conduct standard contract becomes a secure contract under section 117 of the Renting Homes (Wales) Act 2016 (conversion to secure contract).”
- (14) In section 160A(13) (allocation only to eligible persons: Wales)—
- (a) in subsection (6)—
 - (i) omit paragraphs (a) and (b), and the “—” preceding them, and
 - (ii) insert, at the end of the remaining text, “a contract-holder in relation to housing accommodation allocated to that person by a local housing authority in Wales.”;
 - (b) in subsection (8)—
 - (i) omit paragraphs (a), (aa) and (b) and the “—” preceding them, and
 - (ii) insert, at the end of the remaining text, “behaviour of the person concerned which would (if that person were a contract-holder of the authority) breach section 55 of the Renting Homes (Wales) Act 2016 (anaw 1) (anti-social behaviour and other prohibited conduct).”
- (15) In section 174(14) (index of defined expressions: Part 6), at the appropriate places in alphabetical order in the Table, insert—

“contract-holder	section 230”
“introductory standard contract	section 230”
“prohibited conduct standard contract	section 230”
“secure contract	section 230”

- (16) In section 230 (minor definitions: general), at the appropriate places in alphabetical order, insert—

- (13) Section 160A was inserted by section 14(2) of the Homelessness Act 2002 (c. 7) and amended by section 146(2) of the Localism Act 2011 (c. 20), regulation 12 of the Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630) and article 2 of the Anti-social Behaviour, Crime and Policing Act 2014 (Consequential Amendments) (Wales) Order 2015 (S.I. 2015/1321 (W. 119)).
- (14) Section 174 was amended by section 147 of the Localism Act 2011 (c. 20) and section 18(1) of and paragraphs 2 and 6 of Schedule 1 to the Homelessness Act 2002 (c. 7).

““contract-holder” has the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1) (see section 7 (see also section 48) of that Act);”;

““introductory standard contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 16 of that Act);”;

““secure contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 8 of that Act);”;

““standard contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 8 of that Act);”.