

## SCHEDULE 1

Regulation 2

Amendments consequential upon the commencement of the Renting Homes (Wales) Act 2016

### **Rent Assessment Committees (England and Wales) Regulations 1971**

1. The Rent Assessment Committees (England and Wales) Regulations 1971(1) are amended as follows—

- (a) in regulation 2(2) (interpretation), in paragraph (2), in the definition of “reference”, omit “or which is referred or made under section 6, 13, 14A or 22 of the Housing Act 1988”;
- (b) in regulation 2A(3) (1988 and 1989 Act references), in paragraph (1), omit “section 6, 13, 14A or 22 of the Housing Act 1988”.

### **Secure Tenancies (Designated Courses) Regulations 1980**

2. After regulation 1 of the Secure Tenancies (Designated Courses) Regulations 1980(4) (citation and commencement), insert—

#### **“Application**

1A. These Regulations apply in relation to England only.”

### **Assured Tenancies (Notice to Tenant) Regulations 1981**

3. After regulation 1 of the Assured Tenancies (Notice to Tenant) Regulations 1981(5), insert—

“1A. These Regulations apply in relation to England only.”

### **Rent Book (Forms of Notice) Regulations 1982**

4. In regulation 3(1)(d) of the Rent Book (Forms of Notice) Regulations 1982(6), at the beginning, insert “in the case of England only”.

### **Secure Tenancies (Right to Repair Scheme) Regulations 1985**

5. After regulation 1 of the Secure Tenancies (Right to Repair Scheme) Regulations 1985(7), insert—

“1A. These Regulations apply in relation to England only.”

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(1) [S.I. 1971/1065](#).

(2) Regulation 2 was amended by regulation 2 of the Rent Assessment Committees (England and Wales) (Amendment) Regulations 1988 ([S.I. 1988/2200](#)), regulation 2 of the Rent Assessment Committees (England and Wales) (Amendment) Regulations 1990 ([S.I. 1990/427](#)), regulation 2(a) of the Rent Assessment Committees (England and Wales) (Amendment) Regulations 1993 ([S.I. 1993/653](#)) and regulation 9 of the Rent Assessment Committee (England and Wales) (Leasehold Valuation Tribunal) (Amendment) Regulations 1997 ([S.I. 1997/1854](#)).

(3) Regulation 2A was inserted by regulation 2(3) of the Rent Assessment Committees (England and Wales) (Amendment) Regulations 1988 ([S.I. 1988/2200](#)) and amended by regulation 2 of the Rent Assessment Committees (England and Wales) (Amendment) Regulations 1997 ([S.I. 1997/3007](#)).

(4) [S.I. 1980/1407](#).

(5) [S.I. 1981/591](#).

(6) [S.I. 1982/1474](#). Regulation 3 was amended by regulation 2 of the Rent Book (Forms of Notice) (Amendment) Regulations 1988 ([S.I. 1988/2198](#)).

(7) [S.I. 1985/1493](#).

### **Landlord and Tenant Act 1954, Part II (Assured Tenancies) (Notices) Regulations 1986**

6. After regulation 1 of the Landlord and Tenant Act 1954, Part II (Assured Tenancies) (Notices) Regulations 1986(8), insert—

“1A. These Regulations apply in relation to England only.”

### **Assured Tenancies (Prescribed Amount) Order 1987**

7. After article 1 of the Assured Tenancies (Prescribed Amount) Order 1987(9), insert—

“1A. This Order applies in relation to England only.”

### **Protected Shorthold Tenancies (Notice to Tenant) Regulations 1987**

8. After regulation 1 of the Protected Shorthold Tenancies (Notice to Tenant) Regulations 1987(10), insert—

“1A. These Regulations apply in relation to England only.”

### **Secure Tenancies (Notices) Regulations 1987**

9. After regulation 1 of the Secure Tenancies (Notices) Regulations 1987(11), insert —

“1A. These Regulations apply in relation to England only.”

### **Assured Tenancies and Agricultural Occupancies (Rent Information) Order 1988**

10. After article 1 of the Assured Tenancies and Agricultural Occupancies (Rent Information) Order 1988(12), insert—

“1A. This Order applies in relation to England only.”

### **Housing Action Trust Areas (Tenant Notification) Regulations 1989**

11. The Housing Action Trust Areas (Tenant Notification) Regulations 1989(13) are amended as follows—

- (a) in regulation 2 (prescribed descriptions of tenants)—
  - (i) for the heading, substitute “Prescribed descriptions of tenants (England)”;
  - (ii) for “The descriptions”, substitute “In relation to England, the descriptions”;
- (b) after regulation 2, insert—

#### **“Prescribed descriptions of tenants (Wales)**

3. In relation to Wales, the descriptions of tenants prescribed for the purposes of section 61(2) of the Housing Act 1988(14) are the tenants of a local housing authority who would be secure contract-holders but for the effect of—

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(8) S.I. 1986/2181.

(9) S.I. 1987/122.

(10) S.I. 1987/267.

(11) S.I. 1987/755.

(12) S.I. 1988/2199.

(13) S.I. 1989/1246.

(14) 1988 c. 50. Section 61(2) was amended by article 2 of and paragraph 6(a) of the Schedule to the Housing Act 1996 (Consequential Amendments) Order 1997 (S.I. 1997/74).

- (a) paragraph 7(3)(a) of Schedule 2 to the Renting Homes (Wales) Act 2016<sup>(15)</sup> (business tenancies), or
- (b) paragraph 7(3)(g) of Schedule 2 to the Renting Homes (Wales) Act 2016 (long tenancies).”

### **Council Tax (Exempt Dwellings) Order 1992**

**12.** The Council Tax (Exempt Dwellings) Order 1992<sup>(16)</sup> is amended as follows—

- (a) in article 2(1)<sup>(17)</sup>, at the appropriate place, insert—
  - ““contract-holder” means a person who, in relation to a dwelling in Wales—
  - (i) has a leasehold interest which was granted for a term of less than six months,
  - (ii) has a secure contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act), or
  - (iii) has an introductory standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 16 of that Act);”;
- (b) in article 3<sup>(18)</sup>—
  - (i) in the definition of a Class D dwelling, in paragraph (1)(a), for “or tenant”, substitute “, tenant or contract-holder”;
  - (ii) in the definition of a Class E dwelling, in the words before paragraph (a), for “or tenant”, substitute “, tenant or contract-holder”;
  - (iii) in the definition of a Class F dwelling, in paragraph (2)(b), after “tenant”, insert “or contract-holder”;
  - (iv) in the definition of a Class I dwelling, in the words before paragraph (a), for “or tenant”, substitute “, tenant or contract-holder”;
  - (v) in the definition of a Class J dwelling, in the words before paragraph (a), for “or tenant”, substitute “, tenant or contract-holder”.

### **Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994**

**13.** After regulation 1 of the Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994<sup>(19)</sup> (citation and commencement), insert—

#### **“Application**

**1A.** These Regulations apply in relation to England only.”

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<sup>(15)</sup> [2016 anaw 1](#). There are amendments to Schedule 2 which are not relevant to these Regulations.

<sup>(16)</sup> [S.I. 1992/558](#).

<sup>(17)</sup> Article 2(1) was amended by article 3(a) of the Council Tax (Exempt Dwellings) (Amendment) Order 1994 ([S.I. 1994/539](#)), article 2 of and paragraph 13 of the Schedule to the Housing Act 1996 (Consequential Amendments) Order 1997 ([S.I. 1997/74](#)) and article 3(2) of the Council Tax (Chargeable Dwellings, Exempt Dwellings and Discount Disregards) Amendment Order 1997 ([S.I. 1997/656](#)). There are other amendments to article 2 which are not relevant to these Regulations.

<sup>(18)</sup> Article 3 was amended by article 4 of the Council Tax (Exempt Dwellings) (Amendment) Order 1993 ([S.I. 1993/150](#)), article 4(b) to (d) of the Council Tax (Exempt Dwellings) (Amendment) Order 1994 ([S.I. 1994/539](#)) and article 3 of the Council Tax (Chargeable Dwellings, Exempt Dwellings and Discount Disregards) (Amendment) (Wales) Order 2004 ([S.I. 2004/2921 \(W. 260\)](#)). There are other amendments to article 3 which are not relevant to these Regulations.

<sup>(19)</sup> [S.I. 1994/133](#).

*Status: This is the original version (as it was originally made).*

### **Secure Tenants of Local Authorities (Compensation for Improvements) Regulations 1994**

14. After regulation 1 of the Secure Tenants of Local Authorities (Compensation for Improvements) Regulations 1994(20) (citation and commencement), insert—

#### **“Application**

1A. These Regulations apply in relation to England only.”

### **Housing (Right to Manage) Regulations 1994**

15. The Housing (Right to Manage) Regulations 1994(21) are amended as follows—

(a) in regulation 1 (citation, commencement and interpretation), in paragraph (2)—

(i) at the appropriate places in alphabetical order, insert—

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

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

(ii) omit the definition of “secure tenancy”;

(iii) in the definition of “tenant”, for “secure tenancy”, substitute “secure contract”;

(b) in regulation 2 (proposal notice)—

(i) in paragraph (1), in the words before paragraph (a), for “secure tenancies”, substitute “secure contracts”;

(ii) in paragraph (5)(b), for “secure tenants”, substitute “contract-holders under a secure contract”;

(iii) in paragraph (5)(c), for “secure tenants”, substitute “contract-holders under a secure contract”;

(c) in regulation 4 (procedure following proposal notice)—

(i) in paragraph (5), for “secure tenants”, substitute “contract-holders under a secure contract”;

(ii) in paragraph (13), for “secure tenants”, substitute “contract-holders under a secure contract”.

### **Introductory Tenants (Review) Regulations 1997**

16. After regulation 1 of the Introductory Tenants (Review) Regulations 1997(22) (citation, commencement and interpretation), insert—

#### **“Application**

1A. These Regulations apply in relation to England only.”

### **Rent Officers (Housing Benefit Functions) Order 1997**

17. The Rent Officers (Housing Benefit Functions) Order 1997(23) is amended as follows—

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(20) S.I. 1994/613.

(21) S.I. 1994/627.

(22) S.I. 1997/72.

(23) S.I. 1997/1984.

- (a) in article 2(1)(**24**) (interpretation), at the appropriate place in alphabetical order, insert—
- ““introductory standard contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 16 of that Act);”;
  - ““occupation contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 7 of that Act);”;
  - ““private landlord” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 10 of that Act);”;
  - ““private registered provider of social housing” has the meaning given by section 80(3) of the Housing and Regeneration Act 2008(**25**);”;
  - ““registered social landlord” means a person registered in the register maintained under section 1 of the Housing Act 1996(**26**);”;
  - ““secure contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act);”;
  - ““standard contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act), but does not include—
- (a) an introductory standard contract,
  - (b) a prohibited conduct standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 116 of that Act), or
  - (c) a supported standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 143 of that Act);”;
- (b) in Schedule 1—
- (i) in paragraph 3(3)(**27**) (exceptionally high rents), after “assured tenancy of a dwelling”, insert “in England, or an occupation contract of a dwelling in Wales.”;
  - (ii) in paragraph 3(4)(**28**), after “assured tenancies”, insert “or occupation contracts”;
  - (iii) in paragraph 4(1) (local reference rents)—
    - (aa) in paragraph (a) in the definition of H (highest rent), after “assured tenancy of a dwelling”, insert “in England, or an occupation contract of a dwelling in Wales.”;
    - (bb) in paragraph (a) in the definition of L (lowest rent), after “assured tenancy of a dwelling”, insert “in England, or an occupation contract of a dwelling in Wales.”;

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(24) Article 2(1) was amended by articles 2 and 3 of the Rent Officers (Housing Benefit Functions) (Amendment) Order 2000 (S.I. 2000/1), article 2 of the Rent Officers (Housing Benefit Functions) (Local Housing Allowance) Amendment Order 2003 (S.I. 2003/2398), article 2(1) of the Rent Officers (Housing Benefit Functions) (Student Accommodation) Amendment Order 2004 (S.I. 2004/2101), regulation 5 of and paragraph 11 of Schedule 2 to the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (S.I. 2006/217), articles 3, 4, 6 and 10 of the Rent Officers (Housing Benefit Functions) Amendment Order 2007 (S.I. 2007/2871), article 3(1) and (2) of the Rent Officers (Housing Benefit Functions) Amendment Order 2010 (S.I. 2010/2836), article 2 of the Rent Officers (Housing Benefit Functions) (Amendment) Order 2012 (S.I. 2012/646) and article 2 of the Rent Officers (Housing Benefit and Universal Credit Functions) (Amendment) Order 2013 (S.I. 2013/1544).

(25) 2008 c. 17. Section 80(3) was inserted by article 5 of and paragraph 5 of Schedule 1 to the Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844).

(26) 1996 c. 52. Section 1 was amended by sections 140 and 152 of and paragraph 83 of Schedule 16 and Part VI of Schedule 18 to the Government of Wales Act 1998 (c. 38), sections 61 and 321 of and Schedule 16 to the Housing and Regeneration Act 2008 (c. 17).

(27) Paragraph 3(3) was amended by article 2(1) and (4)(a) of the Rent Officers (Housing Benefit Functions) (Amendment) Order 2001 (S.I. 2001/3561).

(28) Paragraph 3(4) was amended by article 2(1) and (4)(a) of the Rent Officers (Housing Benefit Functions) (Amendment) Order 2001 (S.I. 2001/3561).

*Status: This is the original version (as it was originally made).*

- (iv) in paragraph 4(2)(a)(**29**), after “assured tenancy”, insert “or occupation contract”;
- (v) in paragraph 4(2)(b)(i), after “assured tenancy”, insert “or occupation contract”;
- (vi) in paragraph 4(2)(b)(ii), after “assured tenancy”, insert “or occupation contract”;
- (vii) in paragraph 4(2)(b)(iii), after “assured tenancy”, insert “or occupation contract”;
- (viii) in paragraph 4(2)(b)(iv), after “assured tenancy”, insert “or occupation contract”;
- (ix) in paragraph 5(1) (single room rents)—
  - (aa) in paragraph (a) in the definition of H (highest rent), after “assured tenancy of a dwelling”, insert “in England, or an occupation contract of a dwelling in Wales,”;
  - (bb) in paragraph (a) in the definition of L (lowest rent), after “assured tenancy of a dwelling”, insert “in England, or an occupation contract of a dwelling in Wales,”;
- (x) in paragraph 5(2)(a)(**30**), after “assured tenancy”, insert “or occupation contract”;
- (xi) in paragraph 5(2)(b), after “assured tenancy”, insert “or occupation contract”;
- (xii) in paragraph 8(1) (housing associations etc.), for “In a case”, substitute “In relation to England, in a case”;
- (xiii) after paragraph 8(1), insert—
  - “(1A) In relation to Wales, in a case where the local authority states in the application that the landlord is a housing association, a community landlord, or a charity, the rent officer shall assume that the landlord is not such a body.”;
- (xiv) in paragraph 8(2), for “The rent officer”, substitute “In relation to England, the rent officer”;
- (xv) after paragraph 8(2), insert—
  - “(2A) In relation to Wales, the rent officer shall not take into account the rent under any occupation contract where the landlord is a housing association or a community landlord, or where the landlord is a charity and the dwelling is provided by the landlord in the pursuit of its charitable purposes.”;
- (xvi) in paragraph 8(3), at the appropriate place in alphabetical order, insert—
  - ““community landlord” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 9 of that Act);”;
- (xvii) in paragraph 11(1) (indicative rent levels)—
  - (aa) in paragraph (a) in the definition of H (highest rent), after “assured tenancy of a dwelling”, insert “in England, or an occupation contract of a dwelling in Wales,”;
  - (bb) in paragraph (a) in the definition of L (lowest rent), after “assured tenancy of a dwelling”, insert “in England, or an occupation contract of a dwelling in Wales,;

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(29) Paragraph 4(2) was amended by articles 2 and 10(a) of the Rent Officers (Housing Benefit Functions) (Amendment) Order 2000 (S.I. 2000/1), article 2 of the Rent Officers (Housing Benefit Functions) (Amendment) (No 2) Order 2001 (S.I. 2001/2317), article 2(1) and (3)(a) of the Rent Officers (Housing Benefit Functions) (Amendment) (No 2) Order 2008 (S.I. 2008/3156) and article 3 of the Rent Officers (Housing Benefit Functions) Amendment Order 2010 (S.I. 2010/2836).

(30) Paragraph 5(2) was amended by articles 2 and 4 of the Rent Officers (Housing Benefit Functions) (Amendment) Order 2001 (S.I. 2001/1325).

- (c) in Schedule 3B(31) (broad rental market area determinations and local housing allowance determinations), in paragraph 2(32) (local housing allowance for category of dwelling in paragraph 1)—
- (i) for sub-paragraph (4), substitute—

“(4) The rent officer must compile a list of rents in ascending order of the rents which, in the rent officer’s opinion, are payable—

    - (a) for each category of dwelling specified in paragraph 1—
      - (i) in England, let under an assured tenancy, or
      - (ii) in Wales—
        - (aa) before the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force, let under an assured tenancy, or
        - (bb) on or after that day, let under a relevant occupation contract; and
    - (b) in the 12 month period ending on the 30<sup>th</sup> day of the September preceding the date of the determination.”;
  - (ii) in sub-paragraph (5)(a), in the words before sub-paragraph (i), after “assured tenancy”, insert “or a relevant occupation contract, as the case may be,”;
  - (iii) in sub-paragraph (5)(a)(i), after “assured tenancy”, insert “or relevant occupation contract”;
  - (iv) in sub-paragraph (5)(a)(iii), after “assured tenancy”, insert “or relevant occupation contract”;
  - (v) after sub-paragraph (10), insert—

“(11) In this paragraph, “relevant occupation contract” means—

    - (a) a secure contract in relation to which the landlord is a registered social landlord, a private registered provider of social housing, or a private landlord,
    - (b) a standard contract, or
    - (c) an introductory standard contract in relation to which the landlord is a registered social landlord or a provider of social housing.”;
- (d) in Schedule 4 (special cases)—
- (i) in paragraph 1(a) (houseboats), for “or an assured tenancy”, substitute “, an assured tenancy or an occupation contract”;
  - (ii) in paragraph 2(a) (mobile homes), for “or an assured tenancy”, substitute “, an assured tenancy or an occupation contract”.

### **Long Residential Tenancies (Supplemental Forms) Regulations 1997**

**18.** In the Long Residential Tenancies (Supplemental Forms) Regulations 1997(33), in the Schedule (prescribed forms), Form 8 ((long residential tenancies) landlord’s notice requiring consent of other landlord to notice terminating long residential tenancy) is amended as follows—

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(31) Schedule 3B was inserted by articles 3 and 4 of the Rent Officers (Housing Benefit Functions) Amendment Order 2007 (S.I. 2007/2871).

(32) Paragraph 2 was substituted by article 2 of the Rent Officers (Housing Benefit and Universal Credit Functions) (Local Housing Allowance Amendments) Order 2013 (S.I. 2013/2978). There are amendments to paragraph 2 which are not relevant to these Regulations.

(33) S.I. 1997/3005.

*Status: This is the original version (as it was originally made).*

- (a) in the first bullet point, for “assured monthly periodic tenancy”, substitute “[assured periodic tenancy in England]/[periodic standard contract in Wales]”;
- (b) in paragraph 4, for “assured monthly periodic tenancy”, substitute “[assured monthly periodic tenancy in England]/[periodic standard contract in Wales]”;
- (c) in Note 3, after “assured monthly periodic tenancy”, insert “in England/periodic standard contract in Wales”.

### **Long Residential Tenancies (Principal Forms) Regulations 1997**

**19.** The Long Residential Tenancies (Principal Forms) Regulations 1997<sup>(34)</sup> are amended as follows—

- (a) in regulation 2 (interpretation)—
  - (i) the existing provision becomes paragraph (1);
  - (ii) after that paragraph, insert—
 

“(2) In these Regulations, “periodic standard contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 8 of that Act).”;
- (b) in regulation 3 (forms)—
  - (i) in paragraph (a), after “assured monthly periodic tenancy”, insert “or a periodic standard contract”;
  - (ii) in paragraph (d), after “assured monthly periodic tenancy”, insert “or a periodic standard contract”;
  - (iii) in paragraph (e)<sup>(35)</sup>, after “assured monthly periodic tenancy”, insert “or a periodic standard contract”;
- (c) in the Schedule (prescribed forms)—
  - (i) in Form 1<sup>(36)</sup> ((long residential tenancies) landlord’s notice terminating long residential tenancy and proposing assured tenancy)—
    - (aa) in the title of the form, after “Assured Tenancy”, insert “or Periodic Standard Contract”;
    - (bb) in the first bullet point, for “an assured periodic tenancy”, substitute “[an assured periodic tenancy in England]/[a periodic standard contract in Wales]”;
    - (cc) in paragraph 10, for “an assured monthly periodic tenancy”, substitute “[an assured monthly periodic tenancy in England]/[a periodic standard contract in Wales]”;
    - (dd) in paragraph 11, for “assured tenancy”, substitute “[assured tenancy in England]/[periodic standard contract in Wales]”;
    - (ee) in Note 13, after “assured tenancy”, insert “in England/periodic standard contract in Wales”
    - (ff) in Note 14, after “assured periodic tenancy”, insert “in England/periodic standard contract in Wales”;

<sup>(34)</sup> S.I. 1997/3008.

<sup>(35)</sup> Regulation 3(e) was amended by article 6(2) of and paragraphs 20 and 21 of Part 1 of Schedule 2 to the Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036).

<sup>(36)</sup> Form 1 was amended by regulation 2 of the Long Residential Tenancies (Principal Forms) (Amendment) (Wales) Regulations 2003 (S.I. 2003/233 (W. 33)) and article 6(2) of and paragraphs 20 and 22 of Part 1 of Schedule 2 to the Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036).



- (gg) in Note 14, after “assured tenancy”, insert “in England/periodic standard contract in Wales”;
- (hh) in Note 15, after “assured monthly periodic tenancy”, insert “in England/periodic standard contract in Wales”;
- (ii) in Form 3**(37)** ((long residential tenancies) landlord’s notice proposing an interim monthly rent after notice terminating long residential tenancy)—
  - (aa) in Note 2, in paragraph (b), after “assured tenancy”, insert “in England/periodic standard contract in Wales”;
  - (bb) in Note 2, in the words after paragraph (b), after “assured periodic tenancy”, insert “in England/periodic standard contract in Wales”;
  - (cc) in Note 5, in the words before the first paragraph (a), after “monthly periodic tenancy”, insert “in England /periodic standard contract in Wales”;
  - (dd) in Note 5, in the first paragraph (c), after “non-shorthold assured tenancy”, insert “in England,”;
  - (ee) in Note 5, in the first paragraph (c), at the end, insert “or a periodic standard contract that does not incorporate section 173**(38)** (landlord’s notice) of the Renting Homes (Wales) Act 2016 as a term of the contract”;
- (iii) in Form 4**(39)** ((long residential tenancies) tenant’s notice proposing different terms or rent for an assured tenancy)—
  - (aa) in the title of the form, after “Assured Tenancy”, insert “or Periodic Standard Contract”;
  - (bb) in the first bullet point, for “assured monthly periodic tenancy”, substitute “[assured monthly periodic tenancy in England]/[periodic standard contract in Wales]”;
  - (cc) in paragraph 3, for “assured monthly periodic tenancy”, substitute “[assured monthly periodic tenancy in England]/[periodic standard contract in Wales]”;
  - (dd) in Note 1, after “assured tenancy”, insert “in England/periodic standard contract in Wales”;
  - (ee) in Note 2, after “assured periodic tenancy”, insert “in England/periodic standard contract in Wales”;
  - (ff) in Note 4, in the words before paragraph (a), after “assured monthly periodic tenancy”, insert “in England /periodic standard contract in Wales”;
  - (gg) in Note 4, in paragraph (b), after “applying”, insert “or a periodic standard contract that does not incorporate section 173 (landlord’s notice) of the Renting Homes (Wales) Act 2016 as a term of the contract”;
  - (hh) in Note 5, after “assured monthly periodic tenancy”, insert “in England/periodic standard contract in Wales”;
  - (ii) in Note 6, after “assured periodic tenancy”, insert “in England /periodic standard contract in Wales”;

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**(37)** Form 3 was amended by article 6(2) of and paragraphs 20 and 23 of Part 1 of Schedule 2 to the Transfer of Tribunal Functions Order 2013 ([S.I. 2013/1036](#)).

**(38)** Section 173 was amended by section 12(1) and (4) of the Renting Homes (Amendment) (Wales) Act 2021 ([asc 3](#)).

**(39)** Form 4 was amended by article 6(2) of and paragraphs 20 and 24 of Part 1 of Schedule 2 to the Transfer of Tribunal Functions Order 2013 ([S.I. 2013/1036](#)).

*Status: This is the original version (as it was originally made).*

- (iv) in Form 5(40) ((long residential tenancies) landlord’s application referring tenant’s notice proposing different terms or rent for a proposed assured tenancy to a Tribunal)
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- (aa) in the title of the form, after “Assured Tenancy”, insert “or Periodic Standard Contract”;
  - (bb) in paragraph 4(b), for “assured periodic tenancy”, substitute “[assured periodic tenancy in England]/[periodic standard contract in Wales]”;
  - (cc) in paragraph 4(c), for “assured periodic tenancy”, substitute “[assured periodic tenancy in England]/[periodic standard contract in Wales]”;
  - (dd) in paragraph 6, after “assured periodic tenancy”, insert “in England/periodic standard contract in Wales”;
  - (ee) in paragraph 7, for “assured periodic tenancy”, substitute “[assured periodic tenancy in England]/[periodic standard contract in Wales]”;
  - (ff) in Note 2, in the words before paragraph (a), after “assured monthly periodic tenancy”, insert “in England/periodic standard contract in Wales”;
  - (gg) in Note 2, in paragraph (b), after “applying”, insert “or a periodic standard contract that does not incorporate section 173 (landlord’s notice) of the Renting Homes (Wales) Act 2016 as a term of the contract”;
  - (hh) in Note 2, in the words after paragraph (c), after “assured periodic tenancy”, insert “in England/periodic standard contract in Wales”;
  - (ii) in Note 3, in the words before paragraph (a), after “assured monthly periodic tenancy”, insert “in England/periodic standard contract in Wales”;
  - (jj) in Note 3, in the first paragraph (b), after “applying”, insert “or a periodic standard contract that does not incorporate section 173 (landlord’s notice) of the Renting Homes (Wales) Act 2016 as a term of the contract”;
  - (kk) in Note 4, after “assured periodic tenancy”, insert “in England /periodic standard contract in Wales”;
- (v) in Form 6 ((long residential tenancies) notice by rent assessment committee requiring further information), in paragraph 2, for “assured periodic tenancy”, in each place it occurs, substitute “[assured periodic tenancy in England]/[periodic standard contract in Wales]”.

### **Financial Services and Markets Act 2000 (Collective Investment Schemes) Order 2001**

**20.** In the Financial Services and Markets Act 2000 (Collective Investment Schemes) Order 2001(41), in the Schedule (arrangements not amounting to a collective investment scheme), in paragraph 7(42) (certain funds relating to leasehold property)—

- (a) at the end of paragraph (a), omit “or”;
- (b) for the full stop at the end of sub-paragraph (b), substitute  
“; or
- (c) in money held in an authorised deposit scheme within the meaning of section 47 (deposit schemes: interpretation) of the Renting Homes (Wales) Act 2016.”

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(40) Form 5 was amended by article 6(2) of and paragraphs 20 and 25 of Part 1 of Schedule 2 to the Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036).

(41) S.I. 2001/1062.

(42) Paragraph 7 was substituted by article 2 of the Financial Services and Markets Act 2000 (Collective Investment Schemes) (Amendment) Order 2007 (S.I. 2007/800). There are other amendments to the Schedule to S.I. 2001/1062 which are not relevant to these Regulations.

### **Allocation of Housing (Wales) Regulations 2003**

- 21.** The Allocation of Housing (Wales) Regulations 2003<sup>(43)</sup> are amended as follows—
- (a) in regulation 2 (interpretation), at the appropriate place in alphabetical order, insert—  
““secure contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 8 of that Act);”;
  - (b) in regulation 3 (cases where the provisions of Part VI of the Act do not apply), in paragraph (b), for “secure tenancy”, substitute “secure contract”.

### **Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003**

- 22.** The Local Authorities (Capital Finance and Accounting (Wales) Regulations 2003<sup>(44)</sup> are amended as follows—
- (a) in regulation 1 (name, commencement, application and interpretation), in paragraph (4)<sup>(45)</sup>, at the appropriate places in alphabetical order, insert—  
““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);”;
  - (b) in regulation 10 (pooling of receipts from disposals of housing land), in paragraph (9) (d)<sup>(46)</sup>, for the definition of “relevant lease”, substitute—  
““relevant lease” means—
    - (i) a secure contract,
    - (ii) an introductory standard contract, or
    - (iii) any other lease, other than a shared ownership lease within the meaning given to it in paragraph (9)(b).”

### **Selective Licensing of Houses (Specified Exemptions) (Wales) Order 2006**

- 23.** In the Selective Licensing of Houses (Specified Exemptions) (Wales) Order 2006<sup>(47)</sup>, in article 2<sup>(48)</sup> (exempt tenancies or licences for the purposes of Part 3 of the Housing Act 2004), in paragraph (1)(b), omit “, which cannot be an assured tenancy by virtue of section 1(2) of that Act”.

### **Housing (Tenancy Deposit Schemes) Order 2007**

- 24.** In the Housing (Tenancy Deposit Schemes) Order 2007<sup>(49)</sup>, after article 1 (citation and commencement), insert—

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<sup>(43)</sup> S.I. 2003/239 (W. 36).

<sup>(44)</sup> S.I. 2003/3239 (W. 319).

<sup>(45)</sup> Regulation 1(4) was amended by regulation 2 of the Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) Regulations 2004 (S.I. 2004/1010 (W. 107)), regulations 3 and 4 of the Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) Regulations 2006 (S.I. 2006/944 (W. 93)), regulations 2 and 3 of the Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) Regulations 2018 (S.I. 2018/325 (W. 61)), regulation 2 of the Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/736 (W. 139)) and regulation 4 of and paragraph 2 of Schedule 2 to the Corporate Joint Committees (General) (Wales) Regulations 2021 (S.I. 2021/327 (W. 85)).

<sup>(46)</sup> Regulation 10(9) was substituted by regulations 3 and 5 of the Local Authorities (Capital Finance and Accounting) (Wales) (Amendment) Regulations 2006 (S.I. 2006/944 (W. 93)).

<sup>(47)</sup> S.I. 2006/2824 (W. 247).

<sup>(48)</sup> There are amendments to article 2 which are not relevant to these Regulations.

<sup>(49)</sup> S.I. 2007/796.

**“Application**

**1A.** This Order applies in relation to England only.”

**Electricity and Gas (Carbon Emissions Reduction) Order 2008**

**25.** In the Electricity and Gas (Carbon Emissions Reduction) Order 2008(**50**), in Schedule 1 (meaning of householder), paragraph 1 is amended as follows—

- (a) at the end of sub-paragraph (b), omit “or”;
- (b) after sub-paragraph (b), insert—
  - “(bb) in the case of Wales only, a holder of a secure contract (within the meaning given by section 8 of the Renting Homes (Wales) Act 2016), or an introductory standard contract (within the meaning given by section 16 of the Renting Homes (Wales) Act 2016), except where the landlord is—
    - (i) a private registered provider of social housing (within the meaning given by section 80(3) of the Housing and Regeneration Act 2008(**51**));
    - (ii) a registered social landlord (being a person registered in the register maintained under section 1 of the Housing Act 1996(**52**)); or
    - (iii) a private landlord (within the meaning given by section 10 of the Renting Homes (Wales) Act 2016); or”.

**Consumer Protection from Unfair Trading Regulations 2008**

**26.** Regulation 27C(**53**) of the Consumer Protection from Unfair Trading Regulations 2008(**54**) (what immovable property is covered by this Part?), is amended as follows—

- (a) in paragraph (2), omit “and Wales”;
- (b) after paragraph (6), insert—
  - “(7) In this regulation “relevant lease” in relation to Wales means—
    - (a) a standard contract, within the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act), or
    - (b) a lease under which accommodation is let as holiday accommodation.
  - (8) But none of the following are relevant leases for the purposes of paragraph (7)(a)—
    - (a) an introductory standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 16 of that Act);
    - (b) a prohibited conduct standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 116 of that Act);
    - (c) a supported standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 143 of that Act);
    - (d) a lease under which the interest of the landlord belongs to Her Majesty in right of the Crown or to a government department or is held in trust for Her Majesty for the purposes of a government department;

(50) S.I. 2008/188.

(51) 2008 c. 17. Section 80(3) was inserted by article 5 of and paragraph 5 of Schedule 1 to the Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844).

(52) 1996 c. 52. Section 1 was amended by sections 140 and 152 of and paragraph 83 of Schedule 16 and Part VI of Schedule 18 to the Government of Wales Act 1998 (c. 38), sections 61 and 321 of and Schedule 16 to the Housing and Regeneration Act 2008 (c. 17).

(53) Regulation 27C was inserted by regulation 3 of the Consumer Protection (Amendment) Regulations 2014 (S.I. 2014/870).

(54) S.I. 2008/1277.

- (e) a lease granted to a person as a result of the exercise by a local housing authority within the meaning of the Housing (Wales) Act 2014<sup>(55)</sup> of its functions under Part 2 (homelessness) of that Act;
- (f) a lease of a dwelling-house or part of a dwelling-house—
  - (i) granted on payment of a premium calculated by reference to a percentage of the value of the dwelling-house or part or of the cost of providing it, or
  - (ii) under which the contract-holder (or the contract-holder’s personal representatives) will or may be entitled to a sum calculated by reference, directly or indirectly, to the value of the dwelling-house or part.”

### **Community Infrastructure Levy Regulations 2010**

27. In the Community Infrastructure Levy Regulations 2010<sup>(56)</sup>, regulation 49<sup>(57)</sup> (social housing relief), is amended as follows—

- (a) in paragraph (3)(a), after “a demoted tenancy”, insert “or a prohibited conduct standard contract”;
- (b) in paragraph 3(b), after “an introductory tenancy”, insert “or an introductory standard contract”;
- (c) in paragraph 3(c), after “a secure tenancy”, insert “or a secure contract”;
- (d) for paragraph (7)(a)(i), substitute—
  - “(i) a secure contract, a standard contract or an introductory standard contract;”;
- (e) omit paragraph (7)(a)(ii);
- (f) for paragraph (7)(a)(iii) substitute—
  - “(iii) a prohibited conduct standard contract, and”;
- (g) omit paragraph (7)(a)(iv);
- (h) at the end of paragraph (7A)(a)(i), insert “, a secure contract, a standard contract or a prohibited conduct standard contract”;
- (i) in paragraph (11), at the appropriate places in alphabetical order, insert—
  - ““introductory standard contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 16 of that Act);”;
  - ““prohibited conduct standard contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 116 of that Act);”;
  - ““secure contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act);”;
  - ““standard contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act), but does not include—
    - (a) an introductory standard contract,
    - (b) a prohibited conduct standard contract, or
    - (c) a supported standard contract;”;

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<sup>(55)</sup> 2014 anaw 7.

<sup>(56)</sup> S.I. 2010/948.

<sup>(57)</sup> Regulation 49 was substituted by regulations 2 and 7(4) of the Community Infrastructure Levy (Amendment) Regulations 2014 (S.I. 2014/385) and amended by regulations 2 and 4 of the Community Infrastructure Levy (Amendment) Regulations 2015 (S.I. 2015/836).

*Status: This is the original version (as it was originally made).*

““supported standard contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 143 of that Act);”.

### **Rent Officers (Universal Credit Functions) Order 2013**

**28.** The Rent Officers (Universal Credit Functions) Order 2013(**58**) is amended as follows—

(a) in article 2(**59**) (interpretation)—

(i) in the definition of “assured tenancy”, in paragraph (a), omit the words “and Wales”;

(ii) at the appropriate place in alphabetical order, insert—

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

““private landlord” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 10 of that Act);”;

““private registered provider of social housing” has the meaning given by section 80(3) of the Housing and Regeneration Act 2008(**60**);”;

““registered social landlord” means a person registered in the register maintained under section 1 of the Housing Act 1996(**61**);”;

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

““standard contract” has the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act), but does not include—

(a) an introductory standard contract,

(b) a prohibited conduct standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 116 of that Act), or

(c) a supported standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 143 of that Act);”;

(b) in Schedule 1 (local housing allowance determinations), in paragraph 3(**62**) (rent at the 30th percentile)—

(i) for sub-paragraph (3), substitute—

“(3) The rent officer must compile a list of rents in ascending order of the rents which, in the rent officer’s opinion, are payable—

(a) for each category of dwelling specified in paragraph 1—

(i) in England, let under an assured tenancy, or

(ii) in Wales—

(58) [S.I. 2013/382](#).

(59) Article 2 was amended by article 4 of the Rent Officers (Housing Benefit and Universal Credit Functions) (Amendment) Order 2013 ([S.I. 2013/1544](#)) and article 4 of the Rent Officers (Housing Benefit and Universal Credit Functions) (Local Housing Allowance Amendments) Order 2014 ([S.I. 2014/3126](#)).

(60) [2008 c. 17](#). Section 80(3) was inserted by article 5 of and paragraph 5 of Schedule 1 to the Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 ([S.I. 2010/844](#)).

(61) [1996 c. 52](#). Section 1 was amended by sections 140 and 152 of and paragraph 83 of Schedule 16 and Part VI of Schedule 18 to the Government of Wales Act 1998 ([c. 38](#)), sections 61 and 321 of and Schedule 16 to the Housing and Regeneration Act 2008 ([c. 17](#)).

(62) Paragraph 3 was amended by article 4 of the Rent Officers (Housing Benefit and Universal Credit Functions) (Local Housing Allowance Amendments) Order 2013 ([S.I. 2013/2978](#)). There are other amendments to Schedule 1 to [S.I. 2013/382](#) which are not relevant to these Regulations.

- (aa) before the day on which section 239 of the Renting Homes (Wales) Act 2016 comes into force, let under an assured tenancy, or
- (bb) on or after that day, let under a relevant occupation contract; and
- (b) in the 12 month period ending on the 30<sup>th</sup> day of the September preceding the date of the determination.”;
- (ii) in sub-paragraph (5), in the words before paragraph (a), after “assured tenancy”, insert “or a relevant occupation contract, as the case may be.”;
- (iii) in sub-paragraph (5)(a), after “assured tenancy”, insert “or relevant occupation contract”;
- (iv) in sub-paragraph (5)(c), after “assured tenancy”, insert “or relevant occupation contract”;
- (v) after sub-paragraph (10), insert—
  - “(11) In this paragraph, “relevant occupation contract” means—
  - (a) a secure contract in relation to which the landlord is a registered social landlord, a private registered provider of social housing, or a private landlord,
  - (b) a standard contract, or
  - (c) an introductory standard contract in relation to which the landlord is a registered social landlord or a private registered provider of social housing.”

### **Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015**

**29.** In the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015(**63**) in regulation 9 (circumstances in which a request for consent to relevant energy efficiency improvements may not be made), in paragraph (1)(c)(i), after “the Housing Act 1988”, insert “or section 150(**64**), section 173(**65**), section 186(**66**) or section 194(**67**) of the Renting Homes (Wales) Act 2016”.

### **Insolvency (England and Wales) Rules 2016**

**30.** In the Insolvency (England and Wales) Rules 2016(**68**), in rule 9.9 (property to be excluded in determining the value of a debtor’s property), paragraph (1)(**69**) is amended as follows—

- (a) at the end of sub-paragraph (i), omit “and”;
- (b) after sub-paragraph (i), insert—

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(63) [S.I. 2015/962](#).

(64) Section 150 was amended by section 18 of and paragraphs 1 and 14 of Schedule 6 to the Renting Homes (Amendment) (Wales) Act 2021 ([asc 3](#)).

(65) Section 173 was amended by section 12(1) and (4) of the Renting Homes (Amendment) (Wales) Act 2021.

(66) Section 186 was amended by section 10 of the Renting Homes (Amendment) (Wales) Act 2021.

(67) Section 194 was amended by section 11 of the Renting Homes (Amendment) (Wales) Act 2021.

(68) [S.I. 2016/1024](#).

(69) Paragraph (1) of rule 9.9 was amended by rule 2 of the Insolvency (England and Wales) (Amendment) Rules 2021 ([S.I. 2021/672](#)).

*Status: This is the original version (as it was originally made).*

- “(ia) a standard contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act) and the terms of which inhibit an assignment as mentioned in section 127(5) of the Rent Act 1977<sup>(70)</sup>;
- (ib) a secure contract within the meaning given by the Renting Homes (Wales) Act 2016 (see section 8 of that Act) which is not capable of being assigned except—
- (i) in the case mentioned in section 251 of the Renting Homes (Wales) Act 2016 (family property order),
  - (ii) in accordance with section 92 of the Housing Act 1985<sup>(71)</sup> (assignment by way of exchange), or
  - (iii) in accordance with section 114 of the Renting Homes (Wales) Act 2016 (transfer to potential successor); and”.

## SCHEDULE 2

Regulation 3

### Revocations

**Table 1**

| <i>Title</i>   | <i>Citation</i>                         | <i>Extent of revocation</i> |
|--|---|-----------------------------|
| Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1997                        | <a href="#">S.I. 1997/194</a>           | Whole S.I.                  |
| Combined Fire Authorities (Secure Tenancies) (Wales) Regulations 1998                          | <a href="#">S.I. 1998/2214</a>          | Whole S.I.                  |
| Assured Tenancies and Agricultural Occupancies (Forms) (Amendment) (Wales) Regulations 2003    | <a href="#">S.I. 2003/307 (W. 46)</a>   | Whole S.I.                  |
| Demoted Tenancies (Review of Decisions) (Wales) Regulations 2005                               | <a href="#">S.I. 2005/1228 (W. 86)</a>  | Whole S.I.                  |
| Introductory Tenancies (Review of Decisions to Extend a Trial Period) (Wales) Regulations 2006 | <a href="#">S.I. 2006/2983 (W. 274)</a> | Whole S.I.                  |
| Housing (Tenancy Deposits) (Specified Interest Rate) Order 2007                                | <a href="#">S.I. 2007/798</a>           | Whole S.I.                  |
| Assured Tenancies (Amendment of Rental Threshold) (Wales) Order 2011                           | <a href="#">S.I. 2011/1409 (W. 169)</a> | Whole S.I.                  |

<sup>(70)</sup> [1977 c. 42](#). Section 127(5) was amended by section 78 of the Housing Act [1980 \(c. 51\)](#) and section 115 of the Housing Act [1988 \(c. 50\)](#).

<sup>(71)</sup> [1985 c. 68](#). Section 92 was amended by section 163 of the Local Government and Housing Act [1989 \(c. 42\)](#), sections 140 and 152 of and paragraph 10 of Schedule 16 and Part VI of Schedule 18 to the Government of Wales Act [1998 \(c. 38\)](#), article 5 of and paragraph 14(9) of Schedule 2 to the Housing Act 1996 (Consequential Provisions) Order 1996 ([S.I. 1996/2325](#)) and article 5 of and paragraphs 15 and 21 of Schedule 2 to the Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 ([S.I. 2010/866](#)).



| <i>Title</i>   | <i>Citation</i>                         | <i>Extent of revocation</i> |
|--|---|-----------------------------|
| Assured Tenancies and Agricultural Occupancies (Forms) (Amendment) (Wales) Regulations 2014                              | <a href="#">S.I. 2014/374 (W. 42)</a>   | Whole S.I.                  |
| Assured Tenancies and Agricultural Occupancies (Forms) (Amendment) (Wales) (No 2) Regulations 2014                       | <a href="#">S.I. 2014/910 (W. 89)</a>   | Whole S.I.                  |
| Secure Tenancies (Absolute Ground for Possession for Anti-Social Behaviour) (Review Procedure) (Wales) Regulations 2014  | <a href="#">S.I. 2014/3278 (W. 335)</a> | Whole S.I.                  |
| The Housing Act 1985 (Amendment of Schedule 2A) (Serious Offences) (Wales) Order 2016                                    | <a href="#">S.I. 2016/173 (W.74)</a>    | Whole S.I.                  |
| The Renting Homes (Fees etc.) (Wales) Act 2019 (Transitional Provision for Assured Shorthold Tenancies) Regulations 2019 | <a href="#">S.I. 2019/1151 (W. 201)</a> | Whole S.I.                  |