

Julie James MS
Minister for Housing and Local Government

22 October 2020

Dear Julie

The Coronavirus Act 2020 (Residential Tenancies: Protection from Eviction) (Wales) Regulations 2020

We scrutinised **The Coronavirus Act 2020 (Residential Tenancies: Protection from Eviction) (Wales) Regulations 2020** at our meeting on 12 October 2020, reporting on the same day, and considered the Welsh Government's response at our meeting on 19 October.

The first point in our **report** said that we were not clear why it was necessary for these Regulations to come into force so urgently as to breach the 21-day rule. While we note the two factors cited in the Welsh Government response as reasons for the delay in laying the Regulations, we still remain unclear as to why these Regulations could not have been given a higher priority and brought forward earlier.

The Welsh Government **response** states:

“...the Regulations were responding to a rapidly changing set of circumstances, including the evolving nature of the pandemic, the lifting of the stay on possession proceedings in the courts, and the UK Government's amendments to Schedule 29 to the Coronavirus Act. These matters all needed to be taken into account before the Regulations could be laid.”

We would be grateful to receive further clarity and detail on why these stated reasons led you to not make the Regulations until 25 September 2020, given that you were aware that the legislation in force at the time stated that the period during which increased notice must be given to tenants was coming to an end on 30 September.

Furthermore, and given that the policy intention behind the Regulations was announced in the Plenary meeting on 15 September 2020 as part of your statement on Housing, Poverty and Communities, we would be grateful for an explanation as to why the



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Regulations were then not laid before the Senedd until 28 September 2020. While we acknowledge that this timetable would still have resulted in a breach of the 21 day rule, and we recognise the demands being placed on the Welsh Government's capacity to legislate, an almost two week delay between the announcement and the laying of the regulations is unsatisfactory, particularly as regards the impact of the Regulations on relevant stakeholders.

Our second reporting point asked the Welsh Government to set out how it considers that these Regulations are compliant with Article 1 Protocol 1 of the European Convention on Human Rights. The Welsh Government response did not address this point; it only said "We consider that the Regulations are compatible with the European Convention on Human Rights." We do not consider this to be a satisfactory response and we would therefore be grateful if you could set out your full reasons for considering that the Regulations are compliant with Article 1 Protocol 1 of the European Convention on Human Rights.

Yours sincerely



Mick Antoniw AM
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg
We welcome correspondence in Welsh or English

