Government Response: *SL(6)730 – The Renting Homes (Model Written Statements of Contract) (Wales) (Amendments etc.) Regulations 2026*

Technical Scrutiny point 1: The Welsh Government are grateful to the Committee for raising this point and its request for clarification.

Section 22(1)(b) of the Renting Homes (Wales) Act 2016 ("the 2016 Act") is relied on for regulation 4. It enables the Welsh Ministers to specify that provisions in legislation cease to be fundamental terms. Regulation 4 provides that new section 54A of the 2016 Act, as inserted by the Renters' Rights Act 2025 ("the 2025 Act") is not a fundamental provision applicable to supported standard contracts.

Section 29(1) of the 2016 Act is relied on for regulation 3. It requires the Welsh Ministers to prescribe model written statements of contract. Regulation 3 inserts terms equivalent to new sections 54A and 54B of the 2016 Act (inserted by the 2025 Act) into the Model Written Statements for certain types of occupation contract.

Section 256(1) of the 2016 Act is relied on for both regulations 3 and 4 to make different provision in relation to different kinds of occupation contract. Section 256(1)(c) enables regulations under the 2016 Act to make different provision for different kinds of occupation contract. Regulation 3 inserts the new fundamental terms into some, but not all types of occupation contract. Regulation 4 provides that new section 54A is not a fundamental provision for standard supported contracts.

Section 141(1) and (2) of the 2025 Act is relied on for both regulations 3 and 4. The regulations are made in consequence of provision in Part 1 of the 2025 Act. Regulation 3 is made in consequence of new section 54A and section 54B being inserted into the 2016 Act (by the 2025 Act) to reflect that those provisions form fundamental terms in certain types of occupation contract. Regulation 4 is made in consequence of new section 54A being inserted into the 2016 Act to ensure it is not a fundamental term in supported standard contracts.