

SL(5)693 – The Business Tenancies (Extension of Protection from Forfeiture etc.) (Wales)(Coronavirus) (No. 3) Regulations 2020

Background and Purpose

Section 82 of the Coronavirus Act 2020 (“the Act”) ensures that re-entry or forfeiture for non-payment of rent may not be enforced in relation to relevant business tenancies during the “relevant period”. The “relevant period” is defined by section 82(12) of the Act as beginning on 26 March 2020, and ending on 30 June 2020, or such later date as may be specified in regulations made by the relevant national authority (in relation to Wales, this is the Welsh Ministers).

Previous regulations have extended the relevant period until 30 September and, most recently, the 31 December 2020.

These Regulations extend the moratorium provided by section 82 of the Act further, until 31 March 2021.

Procedure

Negative.

Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2 (vii) that there appear to be inconsistencies between the meaning of its English and Welsh texts

Regulation 2 deals with the (extension of the) relevant period. The English version states “with 31st March 2021” whilst the Welsh version states “ar 31 Mawrth.” In accordance with paragraph 8.4 of Welsh Government drafting guidelines the Welsh text should state “gan orffen â 31 Mawrth.”

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Implications arising from exiting the European Union

None.



Welsh Government response

A Welsh Government response is not required.

Committee Consideration

The Committee considered the instrument at its meeting on 11 January 2021 and reports to the Senedd in line with the reporting point above.

