

# Statutory Instruments with Clear Reports

## 31 January 2022

### SL(6)129 – The Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022

#### Procedure: Made Negative

Section 91 of the Renting Homes (Wales) Act 2016 (“the Act”) requires a landlord, under a secure contract, a periodic standard contract or a fixed term standard contract made for a term of less than 7 years, to ensure that the dwelling is fit for human habitation. Section 92 requires the landlord to keep the dwelling in repair.

Section 94(1) requires the Welsh Ministers to prescribe matters and circumstances to which regard must be had when determining whether a dwelling is fit for human habitation, and section 94(2) enables the Welsh Ministers to prescribe matters and circumstances which may arise because of a landlord’s failure to keep the dwelling in repair. Section 94(3) enables the Welsh Ministers to impose requirements on landlords and to prescribe that if those requirements are not complied with, the dwelling is to be treated as if it were unfit for human habitation.

Regulation 3 and the Schedule prescribe the matters and circumstances to which regard must be had when determining whether a dwelling is fit for human habitation.

Regulation 4 provides that regulations 5 to 8 apply in relation to a secure contract, a periodic standard contract or a fixed term standard contract made for a term of less than 7 years, and which incorporate section 91 of the Act as a term of the contract.

Regulation 4 applies regulations 5 to 8 to the same kinds of occupation contract as regulation 3.

Regulations 5 and 6 impose requirements on a landlord for the purpose of preventing any matters or circumstances which may cause a dwelling to be unfit for human habitation from arising.

Regulation 5 requires that smoke alarms and carbon monoxide alarms, in repair and proper working order, are present in a dwelling.

Regulation 6 requires that the electrical service installations in a dwelling are subject to an electrical safety inspection by a qualified person at intervals of 5 years or less; and that a copy of the condition report is given to the contractholder. If works are carried out on a dwelling’s electrical service installations between electrical safety inspections, the landlord



must provide written confirmation that the works have been carried out to the contractholder.

Where a landlord fails to comply with a requirement imposed by regulation 5 or 6, the dwelling is to be treated as if it were unfit for human habitation until the failure is rectified by the landlord. If the failure re-occurs, the dwelling will again be treated as unfit for human habitation until it is rectified.

Regulation 7 provides additional time to ensure compliance for landlords under existing tenancies and licences that will become occupation contracts under the Act.

Regulation 8 enables landlords to rely on electrical condition reports obtained before [these Regulations](#) come into force.

**Parent Act:** Renting Homes (Wales) Act 2016

**Date Made:** 07 January 2022

**Date Laid:** 12 January 2022

**Coming into force:** in accordance with regulation 1

## **SL(6)136 – The Education (Eligibility for Student Support) (Amendment) (Wales) Regulations 2022**

### **Procedure: Made Negative**

The Welsh Ministers make regulations to provide the basis for the system of financial support for students ordinarily resident in Wales who are taking designated courses of higher education in the UK, and other students studying in Wales. The student finance regulations contain eligibility criteria pursuant to which certain groups may be eligible for student support, home fee status and the tuition fee cap.

The Education (European University Institute) (Wales) Regulations 2014 ("the 2014 Regulations") provide for financial support for an eligible student to attend the European University Institute. These [Regulations](#) make correctional amendments to the 2014 Regulations, providing re-formatted drafting to the definition of a "UK national" and correcting the definition of a "protected partner".

The Education (Student Support) (Wales) Regulations 2018 ("the 2018 Regulations") provide for financial support for students taking designated higher education courses which began on or after 1 August 2018. These Regulations correct an error in the 2018 Regulations made in previous amending regulations, to ensure that Irish nationals (who were resident in the EEA and Switzerland at the end of the transition period) are unable to apply for maintenance support but remain eligible for fee support, home fee status and the tuition fee cap.



**Parent Act:** The Teaching and Higher Education Act 1998

**Date Made:** 17 January 2022

**Date Laid:** 19 January 2022

**Coming into force date:** 11 February 2022



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

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Welsh Parliament

**Legislation, Justice and Constitution Committee**