

**Explanatory Memorandum to:**

**The Renting Homes (Wales) Act 2016 (Consequential Amendments)  
Regulations 2022**

This Explanatory Memorandum has been prepared by Climate Change and Rural Affairs Group of the Welsh Government and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

**Minister's Declaration**

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the subordinate legislation listed above.

Julie James  
Minister for Climate Change  
11 October 2022

## **PART 1**

### **1. Description**

The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (the '*Consequential Amendment Regulations*') make necessary amendments to primary legislation as a consequence of the provisions of the Renting Homes (Wales) Act 2016 ('the 2016 Act').

These Regulations are subject to the affirmative procedure.

### **2. Matters of special interest to the Legislation, Justice and Constitution Committee**

No specific matters identified

### **3. Legislative background**

The powers enabling the Consequential Amendment Regulations to be made are contained in section 255 of the 2016 Act. As the amendments made by the Consequential Amendment Regulations are to primary legislation, section 256(3) and (5) of the 2016 Act require that these Regulations are subject to the affirmative procedure.

### **4. Purpose and intended effect of the legislation**

These Regulations make amendments to primary legislation in consequence of the provisions of the 2016 Act.

Generally, these amendments either:

- a. ensure that existing provision in primary legislation continues to have appropriate effect by
  - i. referencing the relevant occupation contracts alongside references to existing types of tenancies
  - ii. or by including the terminology used in the 2016 Act

or

- b. where the provisions of the 2016 Act are intended to replace elements of existing law or the existing law is incompatible with that set out in the 2016 Act, by disapplying that law.

These amendments are necessary to implement the 2016 Act, provide coherence, clarity and ensure consistency of the law.

## **5. Consultation**

No formal consultation has taken place as these Regulations make only consequential technical amendments.

## **6. Regulatory Impact Assessment**

The amendments made by these Regulations are not expected to alter the policy (or its impact) in any significant way. As such, no RIA has been produced to accompany these Regulations. This is in line with the policy set out in the Welsh Ministers' RIA Code for subordinate legislation