



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 2

OCCUPATION CONTRACTS AND LANDLORDS

CHAPTER 1

OCCUPATION CONTRACTS

7 Tenancies and licences that are occupation contracts

- (1) A tenancy or licence is an occupation contract if—
 - (a) it is within subsection (2) or (3), and
 - (b) rent or other consideration is payable under it.
- (2) A tenancy or licence is within this subsection if—
 - (a) it is made between a landlord and an individual, and
 - (b) it confers on the individual the right to occupy a dwelling as a home.
- (3) A tenancy or licence is within this subsection if—
 - (a) it is made between a landlord and two or more persons at least one of whom is an individual, and
 - (b) it confers on the individual (or, if there is more than one individual, on one or more of them) the right to occupy a dwelling as a home.
- (4) But there are exceptions to subsection (1) set out in Schedule 2, which provides—
 - (a) in Part 1, that certain tenancies and licences not within subsection (2) or (3) can be occupation contracts if notice is given,
 - (b) in Part 2, that certain tenancies and licences that are within subsection (2) or (3) are not occupation contracts unless notice is given,
 - (c) in Part 3, that certain tenancies and licences are never occupation contracts,
 - (d) in Parts 4 and 5, that certain tenancies and licences can be occupation contracts, but special rules apply in relation to them, and

- (e) in Part 6, that the Welsh Ministers may amend that Schedule.
- (5) Each person with whom a landlord makes an occupation contract is a contract-holder under the occupation contract.
- (6) But an individual cannot be a contract-holder under an occupation contract if he or she has not reached the age of 18.

8 Secure contracts and standard contracts

- (1) An occupation contract is either—
 - (a) a secure contract, or
 - (b) a standard contract.
- (2) A secure contract is a periodic contract.
- (3) A standard contract is either a fixed term contract or a periodic contract.