



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 2

### OCCUPATION CONTRACTS AND LANDLORDS

#### CHAPTER 3

##### FUNDAMENTAL PROVISIONS OF OCCUPATION CONTRACTS

#### **21 Effect of non-incorporation and modification of fundamental provisions**

- (1) Subsections (2) and (3) apply where—
  - (a) a fundamental provision is not incorporated as a term of an occupation contract because of an agreement under section 20(1), or
  - (b) a fundamental provision is incorporated with modifications because of an agreement under section 20(2).
- (2) If as a result it is necessary that another fundamental provision or a supplementary provision (see Chapter 4) is not incorporated, that other provision is not incorporated.
- (3) If as a result it is necessary that another fundamental provision or a supplementary provision is incorporated with modifications, that provision is incorporated with the necessary modifications (in addition to any modifications made because of an agreement under section 20(2) or section 24(2)).
- (4) But subsections (2) and (3) do not apply if their application would have the effect that a fundamental provision mentioned in section 20(3) would not be incorporated or would be incorporated with modifications; accordingly, the agreement mentioned in subsection (1)(a) or (b) has no effect.

#### **Commencement Information**

**II** S. 21 in force at 1.12.2022 by S.I. 2022/906, art. 2

**Changes to legislation:**

Renting Homes (Wales) Act 2016, Section 21 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 20(3)(ma) inserted by [2019 anaw 2 Sch. 3 para. 4\(2\)](#)
- s. 135(2)(ia) inserted by [2019 anaw 2 Sch. 3 para. 4\(3\)](#)
- s. 186A-186C inserted by [2019 anaw 2 Sch. 3 para. 4\(1\)](#)
- s. 198A inserted by [2019 anaw 2 Sch. 3 para. 5](#)