



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 3

### PROVISIONS APPLYING TO ALL OCCUPATION CONTRACTS

#### CHAPTER 4

##### DEPOSITS AND DEPOSIT SCHEMES

###### *Deposit schemes*

#### **45 Requirement to use deposit scheme**

- (1) If the contract-holder under an occupation contract pays a deposit (or another person pays a deposit on his or her behalf), the deposit must be dealt with in accordance with an authorised deposit scheme.
- (2) Before the end of the period of 30 days starting with the day on which the deposit is paid, the landlord must—
  - (a) comply with the initial requirements of an authorised deposit scheme, and
  - (b) give the contract-holder (and any person who has paid the deposit on his or her behalf) the required information.
- (3) The required information is such information as may be prescribed relating to—
  - (a) the authorised deposit scheme which applies,
  - (b) the landlord's compliance with the initial requirements of the scheme, and
  - (c) the operation of this Chapter, including the contract-holder's rights (and the rights of any person who has paid the deposit on his or her behalf) in relation to the deposit.
- (4) This section is a fundamental provision which is incorporated as a term of all occupation contracts; section 20 provides that this section—
  - (a) must be incorporated, and

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**Changes to legislation:** *Renting Homes (Wales) Act 2016, Section 45 is up to date with all changes known to be in force on or before 18 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. (See end of Document for details) View outstanding changes*

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(b) must not be incorporated with modifications.

**Modifications etc. (not altering text)**

- C1** S. 45 modified (1.9.2019) by [Renting Homes \(Fees etc.\) \(Wales\) Act 2019 \(anaw 2\)](#), s. 30(2), **Sch. 2 para. 6** (with s. 29); S.I. 2019/1150, art. 2(d)
- C2** S. 45 modified (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Saving and Transitional Provisions\) Regulations 2022 \(S.I. 2022/1172\)](#), regs. 1(2), **8** (with reg. 19)

**Commencement Information**

- I1** S. 45(1)(2)(4) in force at 1.12.2022 by S.I. 2022/906, **art. 2**
- I2** S. 45(3) in force at 5.8.2016 for specified purposes by S.I. 2016/813, art. 2(a), **Sch. Pt. 1**
- I3** S. 45(3) in force at 1.12.2022 in so far as not already in force by S.I. 2022/906, **art. 2**

**Changes to legislation:**

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**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](#)