

*Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Written statement of converted contract and provision of information is up to date with all changes known to be in force on or before 26 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*

## SCHEDULE 12

### CONVERSION OF TENANCIES AND LICENCES EXISTING BEFORE COMMENCEMENT OF CHAPTER 3 OF PART 10

#### *Written statement of converted contract and provision of information*

- 11 (1) The landlord must give the contract-holder under a converted contract a written statement of the contract before the end of the period of six months starting with the appointed day (“the information provision period”).
- [<sup>F1</sup>(1A) Where there has been a change in the identity of the contract-holder before 1 June 2023 (which is the first day after the end of the information provision period), section 31(2) (provision of written statement to new contract-holder) applies in relation to a converted contract as if for “the day on which the identity of the contract-holder changes” there were substituted “1 June 2023”.]
- (2) Any references in this Act to the landlord's obligation under section 31(1) are to be read, in relation to converted contracts, as references to the landlord's obligation under sub-paragraph (1).
- [<sup>F2</sup>(3) This paragraph does not apply in relation to a substitute contract (and accordingly section 31 applies, as modified by paragraph 11A, in relation to such contracts).]

#### **Textual Amendments**

- F1** Sch. 12 para. 11(1A) substituted (1.6.2023) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12 and Consequential Amendment\) Regulations 2023 \(S.I. 2023/556\)](#), regs. 1, **4(a)**
- F2** Sch. 12 para. 11(3) inserted (1.6.2023) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12 and Consequential Amendment\) Regulations 2023 \(S.I. 2023/556\)](#), regs. 1, **4(b)**

#### **Commencement Information**

- II** Sch. 12 para. 11 in force at 1.12.2022 by [S.I. 2022/906](#), **art. 2**

- [<sup>F3</sup>11A(1) In their application to a substitute contract that has come into existence before 1 June 2023—
- (a) section 31(1) is to be read as if for “the occupation date” there were substituted “1 June 2023”;
  - (b) section 31(2) is to be read as if for “the day on which the identity of the contract-holder changes” there were substituted “1 June 2023”;
  - (c) the following provisions are to be read as if for “the occupation date” there were substituted “1 June 2023”—
    - (i) section 36(3)(a);
    - (ii) section 37(3)(a);
  - (d) section 39(1) is to be read as if for “the occupation date of the contract” there were substituted “1 June 2023”.
- (2) In their application to a substitute contract that has come into existence on or after 1 June 2023—
- (a) the following provisions are to be read as if the references to the occupation date were references to the day on which the contract-holder is entitled to begin occupying the dwelling under the substitute contract—

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- (i) section 31(1);
- (ii) section 36(3)(a);
- (iii) section 37(3)(a);
- (b) section 39(1) is to be read as if the reference to the occupation date of the contract were a reference to the date on which the contract-holder is entitled to begin occupying the dwelling under the substitute contract.]

#### Textual Amendments

**F3** Sch. 12 para. 11A inserted (1.6.2023) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12 and Consequential Amendment\) Regulations 2023 \(S.I. 2023/556\)](#), regs. 1, 5

12 Sections 36 and 37 (applications to court) apply in relation to a written statement provided because of paragraph 11(1) as if for the words in section 36(3) and 37(2) there were substituted

“If the landlord was required to provide the written statement under paragraph 11(1) of Schedule 12, the contract-holder may not apply to the court under subsection (1) before—

- (a) the end of the information provision period (within the meaning of Schedule 12), or
- (b) if earlier, the period of 14 days starting with the day on which the landlord gave the contract-holder the written statement.”

#### Commencement Information

**I2** Sch. 12 para. 12 in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

[<sup>F4</sup>12A <sup>F5</sup>... Schedule 9A (restrictions on giving notice under section 173, under section 186, and under a landlord's break clause) applies in relation to a converted contract [<sup>F6</sup>, other than a substitute contract,] as if—

- (a) paragraph 1 were omitted, and
- (b) for paragraph 2 there were substituted—

*“Failure to provide written statement within the specified period*

2 If—

- (a) a landlord is required to provide a written statement of the contract under paragraph 11(1) of Schedule 12, or under section 31(2) <sup>F7</sup>..., and
- (b) the landlord has failed to comply with paragraph 11(1) or section 31(2),

the landlord may not give notice before the end of the period of six months starting with the day on which the landlord gave the written statement to the contract-holder.”]

#### Textual Amendments

**F4** Sch. 12 para. 12A inserted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), [Sch. 6 para. 27\(3\)](#)

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- F5** Sub-provision number "(1)" in Sch. 12 para. 12A omitted (14.7.2022) by virtue of [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12\) Regulations 2022 \(S.I. 2022/795\)](#), regs. 1(2), **9**
- F6** Words in Sch. 12 para. 12A inserted (1.6.2023) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12 and Consequential Amendment\) Regulations 2023 \(S.I. 2023/556\)](#), regs. 1, **6(a)**
- F7** Words in Sch. 12 para. 12A(b) omitted (1.6.2023) by virtue of [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12 and Consequential Amendment\) Regulations 2023 \(S.I. 2023/556\)](#), regs. 1, **6(b)**

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#### Commencement Information

- I3** [Sch. 12 para. 12A](#) in force at 1.12.2022 by [S.I. 2022/906](#), **art. 2**

- 13 (1) Section 39(1) (information about landlord's address) applies in relation to a converted contract [<sup>F8</sup>, other than a substitute contract,] as if for “the period of 14 days starting with the occupation date of the contract” there were substituted “the information provision period (within the meaning of Schedule 12)”.
- (2) Section 40(2) (compensation) applies in relation to section 39(1), as modified by subparagraph (1), as if the relevant date were the first day of the period of 14 days ending with the last day of the information provision period (and accordingly section 40 is to be read as if subsection (5) were omitted).

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#### Textual Amendments

- F8** Words in [Sch. 12 para. 13\(1\)](#) inserted (1.6.2023) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12 and Consequential Amendment\) Regulations 2023 \(S.I. 2023/556\)](#), regs. 1, **7**

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#### Commencement Information

- I4** [Sch. 12 para. 13](#) in force at 1.12.2022 by [S.I. 2022/906](#), **art. 2**

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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](#)