

The Coronavirus Act 2020 (Assured Tenancies and Assured Shorthold Tenancies, Extension of Notice Periods) (Amendment) (Wales) Regulations 2020

- 1. Standing Order 21.3(ii): that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.**

Welsh Government response:

Whilst the Welsh Ministers have had the power to make these regulations for some time, there would have been relatively little to gain from doing so whilst the current stay on possession proceedings is in place. It is only with the stay coming to an end on 23 August (a decision over which the Welsh Ministers have no power) that these regulations have become necessary. In order to reduce the number of possession proceedings in the weeks and months immediately after the stay has been lifted, the Welsh Ministers concluded that it was imperative to act swiftly to increase notice periods. Requiring notice periods of six months will help to flatten any wave of evictions and provide more time for evictions to be avoided, either through landlords and tenants reaching an agreed alternative solution, or through tenants finding an alternative suitable home.

Had the Welsh Ministers decided to wait 21 days before the coming into force of the regulations, it would have allowed a significant additional period in which notices with only three-month notice periods could have been issued. Indeed, giving significant advance warning of the change to notice periods could itself have precipitated an increase in the number of notices issued immediately prior to the regulations coming into force. This would have potentially significantly undermined the purpose of making the regulations.

- 2. Standing Order 21.3(ii): that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd**

Welsh Government response:

We consider that the provisions are compatible with the European Convention on Human Rights.

3. Standing Order 21.3(ii): that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd

Welsh Government response:

The Regulations represent a relatively short-term response to significant issues that have only crystallised in recent weeks. The importance of lessening a potential wave of possession claims once the current stay on proceedings is lifted, has only become apparent now that it is clear that the stay on court proceedings is unlikely to be extended further. The Welsh Ministers have had to act swiftly to address this emerging situation. This left insufficient time to undertake a regulatory impact assessment or conduct consultation with stakeholders. In addition, consultation with landlords and their representative bodies could potentially have resulted in an increase in the service of notices ahead of any change. As discussed above, the Welsh Ministers needed to act quickly to ensure that the purpose of the regulations was not undermined.