

2009 No. 1915 (W.174)

HOUSING, WALES

**The Houses in Multiple Occupation
(Management) (Wales) Regulations
2009**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to houses in multiple occupation (as defined in sections 254 to 259 of the Housing Act 2004) (“HMOs”) in Wales.

Under the Management of Houses in Multiple Occupation (Wales) Regulations 2006 (“the 2006 Regulations”), which apply in relation to all HMOs except those to which section 257 (HMOs: certain converted blocks of flats) of the Housing Act 2004 applies, a manager of an HMO is required to carry out certain duties in respect of the management of the HMO. One of those duties is to supply to the local housing authority within 7 days of receiving a request in writing from the authority the latest gas appliance test certificate the manager has received in relation to the testing by a “recognised engineer” of any gas appliance at the HMO. Under the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007 (“the 2007 Regulations”) the same duty applies in relation to managers of HMOs to which section 257 of the Housing Act 2004 applies.

These Regulations replace the definition of “recognised engineer” in the 2006 Regulations and the 2007 Regulations. The new definition refers to an engineer who is approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.

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**The Houses in Multiple Occupation
(Management) (Wales) Regulations
2009**

Made *16 July 2009*

Laid before the National Assembly for Wales

20 July 2009

Coming into force *10 August 2009*

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 234 of the Housing Act 2004⁽¹⁾ and now vested⁽²⁾ in them, make the following Regulations:

Title, application and commencement

1. The title of these Regulations is the Houses in Multiple Occupation (Management) (Wales) Regulations 2009, they apply in relation to Wales and come into force on 10 August 2009.

Amendment of the Management of Houses in Multiple Occupation (Wales) Regulations 2006

2.—(1) The Management of Houses in Multiple Occupation (Wales) Regulations 2006⁽³⁾ are amended in accordance with paragraph (2).

(2) In regulation 6 (duty of manager to supply and maintain gas and electricity) for paragraph (2) substitute—

⁽¹⁾ 2004 c.34.

⁽²⁾ The powers conferred by section 234 of the 2004 Act were vested in relation to Wales in the National Assembly for Wales. *See* the definition of the “appropriate national authority” in section 261(1) of the 2004 Act. Functions of the National Assembly for Wales transferred to the Welsh Ministers under section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32).

⁽³⁾ S.I. 2006/1713 (W.175).

“(2) In paragraph (1), “recognised engineer” (“*peiriannydd cydnabyddedig*”) means an engineer approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998(1).”.

Amendment of the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007

3.—(1) The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007(2) are amended in accordance with paragraph (2).

(2) In regulation 7 (duty of manager to supply and maintain gas and electricity) for paragraph (2) substitute—

“(2) In paragraph (1), “recognised engineer” (“*peiriannydd cydnabyddedig*”) means an engineer approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.”.

Jocelyn Davies

Deputy Minister for Housing under authority of the Minister for Environment, Sustainability and Housing, one of the Welsh Ministers

16 July 2009

(1) S.I. 1998/2451.

(2) S.I. 2007/3229 (W.281).