WELSH STATUTORY INSTRUMENTS

2007 No. 3164 (W.275)

HOUSING, WALES

The Mobile Homes (Written Statement) (Wales) Regulations 2007

Made - - - -	*5 November 2007*
Laid before the National Assembly for Wales - -	*7 November 2007*
Coming into force - -	*30 November 2007*

The Welsh Ministers (**1**) are, in relation to Wales, the appropriate national authority for the purposes of exercising the powers conferred by section 1(2)(e) of the Mobile Homes Act 1983(**2**) and make the following Regulations in exercise of those powers:

Title, commencement, and application

1.—(1) The title of these Regulations is the Mobile Homes (Written Statement) (Wales) Regulations 2007 and they come into force on 30 November 2007.

(2) These Regulations apply in relation to every written statement given after 30 November 2007 with respect to an agreement—

(a) for the stationing of a mobile home (**3**) on a protected site(**4**), and

(b) to which the Mobile Homes Act 1983 will apply.

Interpretation

2. In these Regulations—

"the 1983 Act" ("*Deddf 1983*") means the Mobile Homes Act 1983;

"written statement" ("*datganiad ysgrifenedig*") means the written statement that the owner of a protected site is required by section 1(2) of the 1983 Act to give to the proposed occupier.

(**1**) The functions of the National Assembly for Wales are vested in the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedeule 11 to the Government of Wales Act 2006 (c. 32).

(**2**) 1983 c. 34. Section 1 was substituted by section 206(1) of the Housing Act (c.34). In relation to Wales, the appropriate national authority is the National Assembly for Wales; see the definition of the "appropriate national authority" in section 5(1) of the 1983 Act, as amended by section 206(3) of the 2004 Act.

(**3**) For the definition of "mobile home", *see* section 5(1) of the Mobile Homes Act 1983.

(**4**) For the definition of "protected site", *see* section 5(1) of the Mobile Homes Act 1983.

Written statement: prescribed requirements

3. The requirements with which a written statement must comply for the purposes of section 1(2) of the 1983 Act (in addition to the requirements of section 1(2)(a) to (d) of the 1983 Act); are—

(a) that it must contain—

(i) the note preceding Part 1 of the Schedule to these Regulations, and

(ii) the particulars mentioned in Part 1 of that Schedule (so far as not required by section 1(2)(a) to (d) of the 1983 Act) and Parts 2 and 4 of that Schedule; and

(b) that it will be in the form set out in that Schedule or a form substantially to the same effect.

Revocation

4. The Mobile Homes (Written Statement) Regulations 1983(**5**) are revoked in relation to Wales.

Jocelyn Davies
Under authority of the Minister for Environment, Sustainability and Housing, one of the Welsh Ministers

5 November 2007

(**5**) S.I. 1983/749.

SCHEDULE Regulation 3

WRITTEN STATEMENT UNDER MOBILE HOMES ACT 1983

IMPORTANT — PLEASE READ THIS STATEMENT CAREFULLY AND KEEP IT IN A SAFE PLACE. IT SETS OUT THE TERMS ON WHICH YOU WILL BE ENTITLED TO KEEP YOUR MOBILE HOMES ON SITE AND TELLS YOU ABOUT THE RIGHTS WHICH WILL BE GIVEN TO YOU BY LAW. IF THERE IS ANYTHING YOU DO NOT UNDERSTAND YOU SHOULD GET ADVICE (FOR EXAMPLE FROM A SOLICITOR OR A CITIZENS ADVICE BUREAU)

PART 1

Introductory Provisions and Express Terms (other than those specified in Part 5)

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1. The Mobile Homes Act 1983 ("the 1983 Act"), as amended by the Housing Act 2004, will apply to the agreement.

Parties to the agreement

2. The parties to the agreement will be-

. . . . . .

(name and address of mobile home occupier)

. . . . . .

(name and address of site owner)

Start date

3. The agreement will begin on . . . . (insert date)

Particulars of the pitch

4. The particulars of the land on which you will be entitled to station your mobile home are. . . . .

Plan

5. A plan showing-

(a) the size and location of the pitch;

(b) the size of the base on which the mobile home is to be stationed; and

(c) measurements between identifiable fixed points on the site and the pitch and base;

is attached to this statement.

Site owner's interest

6. The site owner's estate or interest in the land will end on . . . .

(If this statement applies insert date); or

The site owner's planning permission for the site will end on . . . .

(If this statement applies insert date);

This means that your right to stay on the site will not continue after either of these dates unless the site owner's interest or planning permission is extended.

(If only one of these statements apply, cross out the words that do not apply. If neither of these statements apply, delete this paragraph.)

Pitch fee

7. The pitch fee will be payable from . . . . (insert date)

The pitch fee will be payable weekly/ monthly/quarterly/annually (cross out the words which do not apply)

The pitch fee is . . . .

The following services are included in the pitch fee-

Water

Sewerage

. . . .

. . . .

(Cross out the services which are not included and add any others which are included in the pitch fee)

Review of pitch fee

8. The pitch fee will be reviewed on . . . . . .
. . . . (insert date)

This date is the review date.

Additional charges

9. An additional charge will be made for the following matters-

. . . . . .

. . . . . .

. . . . . .

(List the matters for which an additional charge will be made)

PART 2

Information about your rights

The Mobile Homes Act 1983

1. Because you will have an agreement with a site owner which will entitle you to keep your mobile home on the owner's site and live in it as your home, you will have certain rights under the Mobile Homes Act 1983, affecting in particular your security of tenure, the sale of your home and the review of the pitch fee.

Implied terms

2. These rights, which are contained in the implied terms set out in Part 3 of this statement, will apply automatically and cannot be overridden, so long as your agreement continues to be one to which the 1983 Act applies.

Express terms

3. If you are not happy with any of the express terms of your proposed agreement (as set out in Part 5 of this statement) you should discuss them with the site owner, who may agree to change them.

Right to challenge

4. If you enter into the agreement and subsequently become dissatisfied with the express terms of the agreement you can challenge them as explained in paragraph 5. But you must do so within six months of the date on which you enter into the agreement or the date you received the written statement, whichever is the later. If you wish to challenge your agreement, you may wish to consult a solicitor or citizens' advice bureau.

5. A challenge can be made either in the county court or before an arbitrator. You can—