WELSH STATUTORY INSTRUMENTS

2005 No. 1354 (W.102)

LANDLORD AND TENANT, WALES

The Leasehold Houses (Notice of Insurance Cover) (Wales) Regulations 2005

Made - - - -	*17 May 2005*
Coming into force - -	*31 May 2005*

The National Assembly for Wales, in exercise of the powers conferred by section 164(5)(d) and (6)(a) of the Commonhold and Leasehold Reform Act 2002(**1**), hereby makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Leasehold Houses (Notice of Insurance Cover) (Wales) Regulations 2005 and come into force on 31 May 2005.

(2) These Regulations apply in respect of houses(**2**) in Wales only.

Additional content of notice of cover

2. A notice of cover(**3**) must specify (In addition to the particulars referred to in paragraphs (a) to (c) of subsection (5) of section 164 (Insurance otherwise than with the landlord's insurer) of the Commonhold and Leasehold Reform Act 2002) —

(a) the address of the house insured under the policy;

(b) the registered office of the authorised insurer(**4**) or, if the authorised insurer has no registered office, its head office;

(c) the number of the policy;

(d) the frequency with which premiums are payable under the policy;

(e) the amount of any excess payable by the tenant under the policy;

(**1**) 2002 c. 15. *See* the definition of "prescribed" in section 164(10) of the Commonhold and Leasehold Reform Act 2002. By virtue of section 179(1) of that Act, the National Assembly for Wales is "the appropriate national authority" as respects Wales. (The powers conferred by section 164(5)(d) and (6)(a) of that Act are exercisable, as respects Wales, by the National Assembly for Wales by virtue of the definition of "prescribed" and section 179(1).)

(**2**) By virtue of sections 164(10) and 179(2) of the Commonhold and Leasehold Reform Act 2002, "house" has the same meaning in section 164 as for the purposes of Part 1 of the Leasehold Reform Act 1967 (c. 88). The definition of "house" in that Act is to be found in section 2.

(**3**) *See* section 164(3) of the Commonhold and Leasehold Reform Act 2002.

(**4**) *See* the definition of "authorised insurer" in section 164(10) of the Commonhold and Leasehold Reform Act 2002.

(f) where an excess is payable, whether it is payable in respect of every claim made under the policy or only in particular circumstances and, if the latter, a brief description of those circumstances;

(g) whether the policy has been renewed and, if so, the date on which it was last renewed;

(h) if the policy has not been renewed, the date on which it took effect;

(i) that the tenant is satisfied that the policy covers the tenant's interests; and

(j) that the tenant has no reason to believe that the policy does not cover the interests of the landlord.

Form of notice of cover

3. A notice of cover must be in the form set out in the Schedule to these Regulations, or a form substantially to the same effect.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**5**)

D. Elis-Thomas
17 May 2005 The Presiding Officer of the National Assembly

(**5**) 1998 c. 38.

SCHEDULE Regulation 3

FORM OF NOTICE OF COVER

COMMONHOLD AND LEASEHOLD REFORM ACT 2002Notice of Cover

I: To:

(rhowch enw a chyfeiriad y landlord gan gynnwys ei god post)		*(insert name and address of the landlord including postcode)*
	1	
Fi yw	☐	I am
Ni yw	☐	We are
(ticiwch y blwch priodol) tenant(iaid) y tŷ yn:		*(tick the appropriate box) the tenant(s) of the house at:*

(mewnosoder y cyfeiriad gan gynnwys y cod post)		*(insert address including post code)*
Mae'r tŷ wedi'i yswirio o dan bolisi yswiriant a ddyroddwyd gan:	2	The house is insured under an insurance policy issued by:
(mewnosoder enw'r yswiriwr a'i swyddfa gofrestredig neu, os nad oes gan yr yswiriwr swyddfa gofrestredig, ei brif swyddfa) sy'n yswiriwr awdurdodedig o fewn ystyr adran 164 o Ddeddf Cyfunddaliad a Diwygio Cyfraith Lesddaliad 2002.		*(insert name of insurer and its registered office or, if the insurer has no registered office, its head office)* who is an authorised insurer within the meaning of section 164 of the Commonhold and Leasehold Reform Act 2002.