

## **Explanatory Memorandum to the Housing Renewal Grants (Amendment) (Wales) Regulations 2026**

This Explanatory Memorandum has been prepared by the Education, Culture and Welsh Language Department of the Welsh Government and is laid before Senedd Cymru in conjunction with the above Regulations and in accordance with Standing Order 27.1.

### **Cabinet Secretary's Declaration**

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Housing Renewal Grants (Amendment) (Wales) Regulations 2026.

**Jayne Bryant MS**  
**Cabinet Secretary for Housing and Local Government**  
5 March 2026

## **1. Description**

- 1.1 The Housing Renewal Grants (Amendment) (Wales) Regulations 2026 ('the 2026 Regulations') amend the Housing Renewal Grants Regulations 1996 ('the 1996 Regulations') to reflect the revised legislative position resulting from the Tertiary Education and Research (Wales) Act 2022 ('the 2022 Act#).
- 1.2 Amendments are required to the 1996 Regulations to reflect the commencement, on the 1 April 2026, of provisions enabling the Welsh Ministers or the Commission for Tertiary Education and Research ('Medr') to provide financial support for further education and training.

## **2. Matters of special interest to the Legislation, Justice and Constitution Committee**

- 2.1 None.

## **3. Legislative background**

- 3.1 These Regulations are made under sections 30 and 146(1) and (2) of the Housing Grants, Construction and Regeneration Act 1996 ('the 1996 Act') and are subject to the Senedd annulment procedure.
- 3.2 The powers of the Secretary of State under sections 30, 146(1) and 146(2) of the 1996 Act in relation to Wales were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 and are now vested in the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006.
- 3.3 The National Assembly for Wales was renamed Senedd Cymru or the Welsh Parliament by section 2 of the Senedd and Elections (Wales) Act 2020. By virtue of paragraph 7 of Part 2 of Schedule 3 to the Government of Wales Act 2006, the requirement for Treasury approval in section 30(9) of the Housing Grants, Construction and Regeneration Act 1996 is dis-applied.
- 3.4 These Regulations amend the 1996 Regulations which were originally made by the Secretaries of State for England and Wales and have since been amended by the Secretary of State in relation to England and by the Welsh Ministers in relation to Wales separately on numerous occasions.
- 3.5 These Regulations come into force on the 1 April 2026.

## **4. Purpose and intended effect of the legislation.**

- 4.1 The 1996 Regulations set out the means test for determining the amount of grant that may be paid by local housing authorities under Chapter 1 of Part 1 of the

1996 Act. Certain payments which fall within the definition of ‘access funds’ are disregarded as income for the purpose of the means test.

- 4.2 Chapter 1 of Part 1 of the 1996 Act provides for the paying of grants by local housing authorities for the purpose of improving private sector housing, including in relation to:
  - improvements and repairs to existing dwellings, houses in multiple occupation, and common parts of buildings
  - providing new dwellings or houses in multiple occupation by converting a house or building.
  - providing facilities for disabled people in dwellings and common parts of buildings.
- 4.3 The 1996 Regulations were previously amended as a consequence of the 2022 Act through the Housing Renewal Grant (Amendment) (Wales) Regulations 2024 (‘the 2024 Regulations’).
- 4.4 The 2024 Regulations replaced references to legislation repealed by the 2022 Act with references to the relevant sections of the 2022 Act and replaced references to the Welsh Ministers / National Assembly for Wales / Council with references to Medr or the Welsh Ministers as applicable.
- 4.5 The 2024 Regulations also provided for amendments required to remove references to legislation which had previously been repealed, including references to student support Regulations which were out of date and needed replacing with references to the current student support Regulations.
- 4.6 The amendments in the 2026 Regulations build on the amendments made by the 2024 Regulations.
- 4.7 The 2022 Act provides a new statutory framework for publicly funded tertiary education and research in Wales, including, at section 97 of the 2022 Act, functions enabling Medr and the Welsh Ministers to provide financial support for further education and training. Within section 97, provision is made in relation to the provision of financial support to:
  - persons who are ordinarily resident in Wales and who are receiving or proposing to receive further education or training (section 97(1)(d), and
  - persons who are not ordinarily resident in Wales and who are receiving or proposing to receive further education or training in Wales (section 97(1)(e))
- 4.8 The 2026 Regulations amend the 1996 Regulations to provide that payments made by the Welsh Ministers or Medr under section 97(1)(d) and (e) of the 2022 Act are included in the definition of “access funds” and therefore are disregarded as income for the purpose of that means test.

## **5. Consultation**

- 5.1 No public consultation has taken place in respect of these Regulations. The amendments to this statutory instrument are technical in nature and are consequential on provisions within the 2022 Act, and do not represent any substantive policy changes. This approach is in line with standard Welsh Government practice in relation to consulting on draft subordinate legislation.

## **6. Regulatory Impact Assessment (RIA)**

- 6.1 As these Regulations makes factual amendments to update subordinate legislation and the amendments do not alter the policy (or its impact) in any significant way or how it is applied in a given situation, an RIA is not required. This is in line with the policy set out in the Welsh Ministers' code of practice for carrying out regulatory impact assessments for subordinate legislation.