

Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026

2026 asc 10

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Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026

An Act of Senedd Cymru to promote the development of tourism, regulate the provision of visitor accommodation, and establish a directory of visitor accommodation premises.

[27 April 2026]

Having been passed by Senedd Cymru and having received the assent of His Majesty, it is enacted as follows:

PART 1

INTRODUCTION

1 Overview

(1) This Act forms part of a code of Welsh law relating to tourism.

(2) Part 2 makes provision about the functions of the Welsh Ministers in promoting the development of tourism.

(3) Part 3 regulates the provision of specified descriptions of visitor accommodation at premises in Wales (referred to as "regulated visitor accommodation") for the purpose of improving and promoting the standard of that accommodation.

(4) Chapter 1 of Part 3 makes provision introducing key concepts, including the definition of regulated visitor accommodation, and the meaning of premises being fit for visitor accommodation.

(5) Chapter 2 of Part 3 makes provision requiring premises at which regulated visitor accommodation is provided to be licensed by the Welsh Ministers and imposing licence conditions, including requiring premises to be fit for visitor accommodation.

(6) Chapter 3 of Part 3 makes fitness for visitor accommodation a contractual obligation enforceable by visitors to whom regulated visitor accommodation is provided.

(7) Part 4—

(a) requires the Welsh Revenue Authority (which maintains a register of visitor accommodation providers established under Part 2 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5)) and the Welsh Ministers to make information available to the public in the form of a directory of visitor accommodation at premises in Wales;

(b) creates offences relating to advertising and marketing etc. of visitor accommodation.

(8) Part 5 makes miscellaneous and general provision about the operation of this Act.

PART 2

DEVELOPMENT OF TOURISM

2 Tourism development functions of the Welsh Ministers

(1) The Welsh Ministers have the following functions in relation to promoting the development of tourism in Wales—

(a) encouraging people to visit Wales,

(b) encouraging people living in Wales to visit other places in Wales,

(c) providing or improving, or facilitating the provision or improvement of, tourist amenities, facilities and services in Wales, and

(d) providing or improving, or facilitating the provision or improvement of, infrastructure in Wales for use by tourists (whether or not this is also for use by local people).

(2) But in exercising those functions the Welsh Ministers must have regard to the importance of—

(a) mitigating the social and environmental impact of tourists, and

(b) maintaining and promoting use of the Welsh language.

(3) The Welsh Ministers may do anything they consider appropriate, within or outside Wales, for the purpose of discharging their functions under subsection (1), including carrying out, or facilitating, the following activities—

(a) marketing Wales as a tourist destination;

(b) providing advisory and information services about tourism in Wales;

(c) undertaking research about tourism in Wales;

(d) providing financial assistance (on such terms as the Welsh Ministers consider appropriate).

(4) In subsection (1)(c) and in section 3, "tourist amenities, facilities and services in Wales" means amenities, facilities or services for people visiting Wales and for people travelling within Wales for business or for pleasure.

(5) See also section 3 of the Development of Tourism Act 1969 (c. 51), which provides that the British Tourist Authority may prepare a scheme for the giving of financial assistance by the Welsh Ministers (as well as by the English Tourist Board and by VisitScotland) for the carrying out of projects to provide or improve tourist facilities or amenities in Great Britain.

3 Code of practice on tourism

(1) The Welsh Ministers must prepare and publish a code of practice that provides guidance about best practice in the provision of—

(a) visitor accommodation, and

(b) other tourist amenities, facilities and services in Wales.

(2) The code of practice under subsection (1) may, in particular, give guidance about—

(a) the quality of premises used to provide visitor accommodation;

(b) customer service;

(c) advertising and marketing;

(d) accessibility of premises;

(e) sustainability and other environmental considerations;

(f) promotion of the Welsh language and culture;

(g) any other matter the Welsh Ministers consider appropriate.

(3) The Welsh Ministers may—

(a) revise the code and must publish a revised code, or

(b) withdraw the code if, having consulted organisations that represent businesses that work in tourism or are engaged in activities related to tourism in Wales, they consider the code is no longer of practical utility.

4 Amendments to enactments on tourism

(1) In section 1 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5), before subsection (1) insert—

"(A1) This Act forms part of a code of Welsh law relating to tourism."

(2) Schedule 1 makes amendments to the Development of Tourism Act 1969 (c. 51).

(3) The Tourism (Overseas Promotion) (Wales) Act 1992 (c. 26) is repealed.

PART 3

REGULATION OF VISITOR ACCOMMODATION

CHAPTER 1

KEY CONCEPTS

Regulated visitor accommodation

5 Meaning of regulated visitor accommodation

(1) In this Act, "regulated visitor accommodation" means visitor accommodation of the following descriptions—

(a) self-catering accommodation that is self-contained, and is in—

(i) a building, or

(ii) a mobile home, vessel or other vehicle;

(b) any other description of visitor accommodation prescribed by the Welsh Ministers in regulations.

(2) But for the purposes of subsection (1)(a) self-catering accommodation that is self-contained is not regulated visitor accommodation if—

(a) it is provided in or at—

(i) a hotel (including an aparthotel), guesthouse or bed and breakfast accommodation,

(ii) a youth hostel, bunkhouse or camping barn,

(iii) a campsite in respect of which section 269 of the Public Health Act 1936 (c. 49) applies, or

(iv) a caravan site in respect of which Part 1 of the Caravan Sites and Control of Development Act 1960 (c. 62) applies;

(b) it is provided other than—

(i) on a short-term basis, and

(ii) for the purposes of business or leisure travel or educational trips;

(c) in the case of accommodation in a mobile home, vessel or other vehicle, it is not permanently or semi-permanently situated in one place.

(3) For the purposes of subsections (1) and (2), self-catering accommodation is "self-contained" if—

(a) it includes—

(i) one or more beds for sleeping,

(ii) a toilet, a sink, and a bath or shower, and

(iii) a kitchen or kitchen area, and

(b) during the period in which the visitor is entitled to reside in or at the accommodation, the facilities described in paragraph (a) are provided for the exclusive use of the visitor.

(4) Regulations under subsection (1)(b) may prescribe a description of regulated visitor accommodation by reference to—

(a) the nature or content of the contracts under which the accommodation is provided;

(b) the nature, status, or any particular characteristic of—

(i) the accommodation;

(ii) the premises at which the accommodation is provided;

(iii) the visitor accommodation provider ("VAP");

(iv) any visitor to whom the accommodation is provided;

(c) any other matter that the Welsh Ministers consider appropriate.

(5) Regulations under subsection (1)(b) may amend this Act or the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5) (and the reference in subsection (1)(b) to "prescribed by the Welsh Ministers in regulations" includes a reference to an amendment made by those regulations).

(6) Before making regulations under subsection (1)(b), the Welsh Ministers must consult any persons they consider appropriate and allow those persons a period of at least 12 weeks to respond.

(7) In this Act, the following terms have the meaning given in, or are to be read by reference to, the provisions of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5) specified below—

(a) "visitor accommodation"—

(i) means accommodation, in Wales, of a description given in section 2 of that Act, but

(ii) does not include accommodation to the extent that it is within section 29(2)(b) of that Act (accommodation provided in certain circumstances by public bodies);

(b) "visitor accommodation provider" (or "VAP") means a person that is registered under Part 2 of that Act (register of visitor accommodation providers);

(c) references to "providing" or "offering to provide" visitor accommodation are to be read in accordance with section 3(3) and (5)(a) of that Act;

(d) "premises" is to be read in accordance with section 4(7)(b) of that Act but the Welsh Ministers may, by regulations, make further or different provision about the meaning of the term in its application to this Act, including to amend section 6(4) or any other provision of this Act;

(e) "short-term basis" is to be read in accordance with section 2(3) of that Act;

(f) in relation to visitor accommodation, a reference to a "visitor" is a reference to an individual who is entitled to reside in or at the visitor accommodation for one or more nights, under or in consequence of a contract described in section 3(3) of that Act.

Fitness of visitor accommodation premises

6 Meaning of fitness for visitor accommodation

(1) For the purposes of this Act, premises at which regulated visitor accommodation is provided (or offered) are fit for visitor accommodation unless—

(a) the general fitness standard described in section 7 is not met and the risk of harm or loss of amenity caused by it not being met is such that the premises are not reasonably suitable for a visitor to reside in or at, or

(b) in so far as they apply in respect of the premises, any of the specific fitness standards referred to in section 8 are not met.

(2) The Welsh Ministers may by regulations—

(a) amend the general fitness standard described in section 7, and

(b) amend, add to or omit any of the specific fitness standards listed in section 8.

(3) Before making regulations under subsection (2), the Welsh Ministers must consult any persons they consider appropriate.

(4) For the purposes of this section, sections 7 to 13 and Chapter 3, a reference to "the premises"—

(a) is, in relation to regulated visitor accommodation provided in part of the premises, a reference to such part of the premises in which that accommodation is provided;

(b) in the case of accommodation of a description given in section 5(1)(a) (regulated self-catering accommodation), includes any outdoor area, garage or other building provided for the exclusive use of a visitor during the period in which the visitor is entitled to reside in or at the accommodation.

7 Fitness for visitor accommodation: general standard

The general fitness standard is that, in so far as they are applicable in relation to the premises, the following requirements are met—

(a) in relation to the risk of harm to visitors—

(i) the premises are structurally stable,

(ii) the design, layout and construction of the premises is appropriate,

(iii) the premises and any fixtures are adequately maintained and free from disrepair,

(iv) any installations for the supply of gas, electricity or water are in proper working order and, in the case of water, free from contamination,

(v) the premises are free from carbon monoxide, uncontrolled fire and associated smoke, and other hazardous substances,

(vi) the premises are hygienic, and

(vii) the premises are secure;

(b) in relation to the amenity of visitors—

(i) the premises have adequate provision of lighting, heating and ventilation,

(ii) the premises have an adequate system of drainage,

(iii) the premises have appropriate space for sleeping,

(iv) in the case of self-catering accommodation, the premises have appropriate facilities for the preparation, storage and cooking of food, and

(v) the premises have adequate and appropriate sanitary conveniences.

8 Fitness for visitor accommodation: specific standards

The specific fitness standards are those set out in the following sections—

(a) section 9 (fire safety),

(b) section 10 (electrical maintenance),

(c) section 11 (gas maintenance),

(d) section 12 (carbon monoxide risk), and

(e) section 13 (insurance).

9 Fitness for visitor accommodation: fire safety

(1) The fire safety standard, in relation to any premises at which regulated visitor accommodation is provided (or offered), is that the VAP maintains—

(a) a written assessment of the risks to which persons on the premises are exposed for the purpose of identifying the general fire precautions the VAP needs to take to ensure, so far as is reasonably practicable, the safety of those persons, and

(b) a record of the general fire precautions identified and taken in accordance with that assessment.

(2) For the purposes of subsection (1)—

(a) "general fire precautions" has the same meaning as in article 4 of the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541);

(b) the VAP must keep the assessment under review, and update it as appropriate, and the VAP must update the assessment where—

(i) there has been a significant change in any of the matters to which it relates, or

(ii) the VAP is aware, or ought to be aware, that there is any other reason to update the assessment.

10 Fitness for visitor accommodation: electrical maintenance

(1) The electrical maintenance standard is that, in the case of regulated visitor accommodation in a building or in a mobile home, vessel or other vehicle, the VAP holds a valid report (an "electrical condition report") setting out the results of an inspection and testing of each electrical service installation at the premises carried out by a qualified person and either—

(a) the report records that no investigatory or remedial work is required to ensure that the electrical safety standards are met, or

(b) where the report identifies that investigatory or remedial work is required to ensure that the electrical safety standards are met, there is a written record that the work has been carried out.

(2) An electrical condition report is valid—

(a) until the end of the period of 5 years beginning with the day on which the electrical safety inspection that it relates to was carried out, or

(b) until the day the electrical condition report states that the next electrical safety inspection should be carried out (if sooner).

(3) In this section—

(a) "electrical safety standards" means the standards for electrical service installations set out in the edition of the Wiring Regulations, published by the Institution of Engineering and Technology and the British Standards Institution, applicable at the time of the inspection;

(b) an "electrical service installation" means an installation for the supply of electricity; and the reference to an electrical service installation "at the premises" includes, where the premises forms part only of a building, an electrical service installation that directly or indirectly serves the premises, and that is installed in any part of the building of which the VAP is an occupier;

(c) "qualified person" means a person who is competent to undertake the inspection and testing of an electrical service installation, and any further investigative or remedial work, in accordance with the electrical safety standards;

(d) "written record of work" means, in relation to investigatory or remedial work, a written record prepared by a person who—

(i) is a qualified person, and

(ii) carried out the work.

11 Fitness for visitor accommodation: gas maintenance

(1) The gas maintenance standard is that, in the case of regulated visitor accommodation in a building or in a mobile home, vessel or other vehicle, there is a gas maintenance record in relation to the following—

(a) any gas appliance or any installation pipework installed on the premises,

(b) where the accommodation is in a building, and except where the gas appliance or installation pipework in question is exclusively used in a part of premises occupied for non-residential purposes, any gas appliance or installation pipework that, directly or indirectly, serves the premises and that is installed in any part of the building of which the VAP is an occupier, and

(c) any flue that serves a gas appliance or installation pipework referred to in paragraph (a) or (b).

(2) In subsection (1)—

(a) "flue" and "installation pipework" each have the same meaning as in regulation 2(1) of the Gas Safety (Installation and Use) Regulations 1998 (S.I. 1998/2451);

(b) "gas appliance" has the same meaning as in regulation 2(1) of the Gas Safety (Installation and Use) Regulations 1998, including that part of the definition that applies for the purposes of regulation 3, 35 and 36 of those Regulations;

(c) a "gas maintenance record" means the maintenance record under regulation 36(3)(c) of the Gas Safety (Installation and Use) Regulations 1998 that—

(i) if the regulation applies to the VAP, the VAP must keep in accordance with that regulation, or

(ii) if the regulation does not apply to the VAP, the VAP would need to keep if that regulation applied to the VAP.

12 Fitness for visitor accommodation: carbon monoxide risk

(1) The carbon monoxide risk standard is that, in the case of regulated visitor accommodation in a building or in a mobile home, vessel or other vehicle, there is a functioning carbon monoxide alarm in any room of the premises that contains—

(a) a gas appliance,

(b) an oil-fired combustion appliance, or

(c) a solid fuel burning combustion appliance.

(2) In subsection (1)—

(a) "gas appliance" has the same meaning as in regulation 2(1) of the Gas Safety (Installation and Use) Regulations 1998, including that part of the definition that applies for the purposes of regulation 3, 35 and 36 of those Regulations;

(b) "room" includes—

(i) a hall, landing or corridor or other similar area;

(ii) (in relation to a mobile home, vessel or other vehicle) a cabin or other similar area.

13 Fitness for visitor accommodation: insurance

(1) The insurance standard is that a public liability insurance policy is in place in relation to liabilities to third parties arising from or in connection with the provision of regulated visitor accommodation at the premises.

(2) The Welsh Ministers may by regulations make provision about—

(a) the matters or circumstances in relation to which the public liability insurance must provide cover, and

(b) the extent of that cover.

CHAPTER 2

LICENSING

Licences and licence conditions

14 Visitor accommodation licences

(1) For the purposes of this Act, a "visitor accommodation licence"—

(a) means a licence granted by the Welsh Ministers, under section 20, in respect of premises at which a visitor accommodation provider ("VAP") provides or offers to provide regulated visitor accommodation, and

(b) includes a licence granted by the Welsh Ministers under section 27 (provisional licences) except so far as—

(i) express provision is made to the contrary, or

(ii) the context requires otherwise.

(2) Nothing in this Chapter prevents two or more visitor accommodation licences having effect concurrently in respect of the whole or a part of the same premises.

(3) Schedule 2 makes amendments to the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5) in connection with this Chapter.

15 Licence conditions: general

(1) A visitor accommodation licence must be granted subject to—

(a) the licence conditions set out in subsection (3);

(b) such further licence conditions as may be prescribed by the Welsh Ministers in accordance with section 17 (so far as applicable).

(2) But see also section 27 in relation to the licence conditions subject to which provisional visitor accommodation licences must be granted.

(3) The conditions are—

(a) that—

(i) the visitor accommodation provider ("VAP") to which the licence is granted is registered in respect of the premises to which the licence relates, and

(ii) that registration is in relation to the regulated visitor accommodation to which the licence relates;

(b) that the VAP has completed the applicable visitor accommodation provider training (see section 16);

(c) that—

(i) in so far as they apply in respect of the premises, the specific fitness standards (see section 8) are met, and

(ii) the general fitness standard (see section 7) is met in respect of the premises during any period in which a visitor is entitled to reside in or at the accommodation;

(d) that the VAP takes all reasonable steps, in relation to the provision of visitor accommodation at the premises—

(i) to prevent conduct that is capable of causing nuisance or annoyance to a person with a right (of whatever description) to reside in the locality of the premises, and

(ii) to prevent such conduct, where it occurs, causing the nuisance or annoyance;

(e) that the VAP takes all reasonable steps to ensure that prior to any period in which a visitor is entitled to reside in or at the accommodation, the visitor is provided with—

(i) a copy of the licence certificate, and

(ii) the statement of information (see section 22);

(f) that the VAP ensures that there is a copy of the licence certificate accessible at the premises in paper or electronic form at any time when a visitor is entitled to reside in or at the accommodation.

(4) For the purposes of subsection (3)—

(a) references to "the premises" have the same meaning as in section 6(4);

(b) the condition in subsection (3)(d) applies only in relation to the provision of regulated visitor accommodation of the description referred to in section 5(1)(a);

(c) the reference in subsection (3)(d) to preventing conduct capable of causing nuisance or annoyance is limited to preventing conduct—

(i) foreseeable to the VAP or that ought to be foreseeable to the VAP, and

(ii) that is practicable to prevent.

(5) For the purposes of this Chapter, article 43 of the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541) (suspension of terms and conditions of licence) does not apply in relation to any condition or approval requirement (see section 19) imposed in relation to a visitor accommodation licence.

16 Licence conditions: visitor accommodation provider training

(1) This section makes provision about the visitor accommodation provider training that applies for the purposes of—

(a) the condition referred to in section 15(3)(b), and

(b) the approval requirement referred to in section 19(2)(b).

(2) The Welsh Ministers must by regulations prescribe the training a VAP must complete in relation to—

(a) the licence conditions referred to in section 15(1);

(b) the content of any code of practice issued by the Welsh Ministers under section 3;

(c) such other matters connected to the regulation of visitor accommodation under Parts 3 to 5 of this Act (or by regulations made under those Parts) as the Welsh Ministers consider appropriate.

(3) Regulations under subsection (2) may—

(a) make different provision in relation to the provision of different descriptions of regulated visitor accommodation or different descriptions of premises;

(b) make different provision in relation to different descriptions of VAP (including in relation to corporate and non-corporate entities);

(c) provide for circumstances in which training is not required to be completed.

(4) Regulations under subsection (2) may also make provision—

(a) in connection with training being provided only—

(i) by the Welsh Ministers, or

(ii) by persons authorised by the Welsh Ministers;

(b) specifying fees that may be charged or a method for determining fees that may be charged—

(i) by the Welsh Ministers, or persons authorised by the Welsh Ministers, for providing training;

(ii) by the Welsh Ministers for authorising a person to provide training.

(5) Before making regulations under this section, the Welsh Ministers must consult any persons they consider appropriate.

17 Licence conditions: further conditions

(1) The Welsh Ministers may in accordance with subsections (2) and (3) make regulations prescribing further conditions that are to apply to a visitor accommodation licence.

(2) Regulations under subsection (1) may prescribe such conditions as the Welsh Ministers consider appropriate for the purposes of—

(a) maintaining or improving the standard of visitor accommodation in Wales;

(b) maintaining or enhancing the amenity of premises at which visitor accommodation is provided or the amenity of the land upon which those premises are situated;

(c) promoting tourism in Wales.

(3) Regulations under subsection (1) may prescribe a condition by reference to—

(a) a description of premises in respect of which the condition applies;

(b) a description of regulated visitor accommodation in respect of which the condition applies;

(c) the nature or content of the contracts under which a description of regulated visitor accommodation is provided at the premises pursuant to the licence;

(d) the description of VAP to which the licence is granted;

(e) a description of person to which visitor accommodation is provided at the premises pursuant to the licence;

(f) any other matter that the Welsh Ministers consider appropriate.

(4) Regulations under subsection (1)—

(a) must make provision about the application of any conditions prescribed by the regulations to licences granted (or renewed) prior to the coming into force of those conditions;

(b) may amend this Act for any purpose connected to conditions being prescribed under this section.

(5) Before making regulations under subsection (1) the Welsh Ministers must consult any persons they consider appropriate.

(6) But the requirement under subsection (5) does not apply to regulations that—

(a) amend regulations previously made under subsection (1), and

(b) do not, in the opinion of the Welsh Ministers, effect any substantial change in the provision made by the regulations to be amended.

Licence applications: procedure

18 Licence applications: general

(1) A VAP that intends to provide, or offer to provide, regulated visitor accommodation at premises in respect of which the VAP is registered may apply to the Welsh Ministers for a visitor accommodation licence in respect of those premises.

(2) But for the purpose of subsection (1) "a visitor accommodation licence" does not include a provisional visitor accommodation licence (see section 27).

(3) An application under subsection (1) must—

(a) be in such form, and made in such manner, as the Welsh Ministers may specify;

(b) be accompanied by such fee as the Welsh Ministers may prescribe by regulations under section 35(1) in connection with their functions under section 20 (determination of applications).

(4) An application under subsection (1) must contain such information as the Welsh Ministers may specify about—

(a) the premises to which the application relates;

(b) the regulated visitor accommodation to be provided (or offered) at the premises pursuant to the licence;

(c) whether the approval requirements are met in relation to the application;

(d) any other matter the Welsh Ministers consider necessary or expedient in connection with their functions under Parts 3 to 5 of this Act or under regulations made under Parts 3 to 5 of this Act.

19 Licence applications: approval requirements

(1) This section makes provision about the requirements to be met in relation to an application by a VAP for a visitor accommodation licence ("the approval requirements") (but see also section 27 which makes further provision about approval requirements in relation to applications for provisional licences).

(2) The approval requirements are—

(a) that—

(i) the VAP is registered in respect of the premises to which the application relates, and

(ii) that registration is in relation to the regulated visitor accommodation to which the licence relates;

(b) that the VAP has completed the applicable visitor accommodation provider training (see section 16);

(c) that—

(i) in so far as they apply in respect of the premises, the specific fitness standards (see section 8) are met,

(ii) the premises appear to offer adequate and appropriate amenity to visitors, and

(iii) the general fitness standard (see section 7) is likely to be met in respect of the premises during any period in which a visitor is entitled to reside in or at the accommodation.

(3) The Welsh Ministers may by regulations prescribe such further approval requirements as they consider appropriate for the purpose of—

(a) maintaining or improving the standard of visitor accommodation in Wales;

(b) maintaining or enhancing the amenity of premises at which visitor accommodation is provided or the amenity of the land upon which those premises are situated;

(c) promoting tourism in Wales.

(4) Regulations under subsection (3) may prescribe an approval requirement by reference to—

(a) a description of premises in respect of which the requirement applies;

(b) a description of regulated visitor accommodation in respect of which the requirement applies;

(c) the nature or content of the contracts under which a description of regulated visitor accommodation is provided at the premises pursuant to the licence;

(d) the description of VAP to which the licence is granted;

(e) a description of person to which visitor accommodation is provided at the premises pursuant to the licence;

(f) any other matter that the Welsh Ministers consider appropriate.

(5) Regulations under subsection (3) may amend this Act for any purpose connected to requirements being prescribed under this section.

(6) Before making regulations under subsection (3) the Welsh Ministers must consult any persons they consider appropriate.

(7) But the requirement under subsection (6) does not apply to regulations that—

(a) amend regulations previously made under subsection (3), and

(b) do not, in the opinion of the Welsh Ministers, effect any substantial change in the provision made by the regulations to be amended.

(8) In this section references to "the premises" have the same meaning as in section 6(4).

20 Licence applications: determination

(1) This section applies where the Welsh Ministers have received an application for a visitor accommodation licence made by a VAP in accordance with section 18.

(2) The Welsh Ministers must, as soon as reasonably practicable—

(a) determine whether the approval requirements are met in respect of the premises to which the application relates, and

(b) give notice to the VAP in accordance with subsection (7).

(3) The Welsh Ministers must grant the visitor accommodation licence to the VAP (see section 15(1)) where—

(a) the Welsh Ministers are satisfied that the approval requirements are met in respect of the premises to which the application relates, and

(b) such fee as the Welsh Ministers may prescribe by regulations under section 35(1) in connection with the grant of the licence is paid.

(4) Where the Welsh Ministers are not satisfied that all of the approval requirements are met in respect of the premises to which the application relates, they must refuse the application, subject to section 21 (further assessments).

(5) For the purposes of this section—

(a) the Welsh Ministers may decide whether or not they are satisfied that an approval requirement is met—

(i) on the basis only of information contained in (or omitted from) the application and, where available, any information obtained by virtue of section 21 (further assessments), or

(ii) on the basis of that information and any other information available to the Welsh Ministers, including (but not limited to) information provided in connection with any of their functions under Parts 3 to 5 of this Act or under regulations made under Parts 3 to 5 of this Act;

(b) if the Welsh Ministers are satisfied that the approval requirements in section 19(2)(c)(i) and (ii) are met, they may on that basis be satisfied that the requirement in section 19(2)(c)(iii) is met.

(6) The obligation on the Welsh Ministers (as a licensing authority) under article 42(1)(a) of the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541) (duty to seek representations by enforcing authority) does not apply in relation to the determination of an application for a visitor accommodation licence under this section or section 27.

(7) A notice given to the VAP under subsection (2)(b) must—

(a) inform the VAP of the outcome of the application (including, where the application is refused, of the reasons why the Welsh Ministers are not satisfied that all of the approval requirements are met), and

(b) set out any right of appeal conferred by section 29.

(8) A decision stated in a notice under subsection (2)(b) takes effect on the date the notice is given.

(9) Where a VAP makes an application under section 18 that relates to two or more premises, the Welsh Ministers may separately grant or refuse the application in respect of each of the premises.

(10) For the purposes of this section, a reference to "the premises" —

(a) is, in relation to an application for a licence that relates to regulated visitor accommodation provided in part of the premises, a reference to such part of the premises in which that accommodation is provided, and

(b) in the case of an application for a licence that relates to accommodation of a description given in section 5(1)(a) (regulated self-catering accommodation), includes any outdoor area, garage or other building provided for the exclusive use of a visitor during the period in which the visitor is entitled to reside in or at the accommodation;

(see also section 6(4) which makes similar provision in relation to the application of fitness standards to premises at which visitor accommodation is provided).

21 Licence applications: further assessment prior to determination

(1) This section applies where—

(a) the Welsh Ministers have received an application for a visitor accommodation licence made by a VAP in accordance with section 18, and

(b) they are not satisfied that all of the approval requirements are met, but

(c) before concluding their determination of the application, they consider it appropriate that further action is taken or further information is provided.

(2) Where this section applies the Welsh Ministers must, as soon as reasonably practicable, give notice to the VAP that they are carrying out a further assessment in relation to the application.

(3) A notice given to the VAP under subsection (2) must—

(a) set out the reasons why the Welsh Ministers are not satisfied that all of the approval requirements are met,

(b) specify—

(i) any action that the Welsh Ministers consider the VAP may take, or any information the VAP may provide, for the purpose of satisfying the Welsh Ministers that the approval requirements are met, and

(ii) a period, of not less than 28 days starting with the date on which the notice is given, within which that action is to be taken or that information is to be provided, and

(c) specify any other action that the Welsh Ministers consider it appropriate to take in order to determine whether the approval requirements are met (which may include arranging for an authorised person to inspect the premises with the agreement of the VAP).

(4) In this section and in sections 30 and 31, "authorised person" means a person authorised in writing by the Welsh Ministers.

22 Visitor accommodation licence: issue of certificate and statement of information

(1) Where the Welsh Ministers grant a visitor accommodation licence under section 20(3) they must issue to the VAP—

(a) a licence certificate specifying—

(i) the regulated visitor accommodation that may be provided (or offered) at the premises in pursuance of the licence, and

(ii) the licence conditions that apply in relation to that accommodation, and

(b) a statement of information explaining—

(i) the operation of this Chapter and Chapter 3, and

(ii) how complaints can be made to the Welsh Ministers if a visitor is concerned that a condition of the licence has been breached.

Licences: breach, remedy and revocation

23 Revocation

(1) Subsection (2) applies in relation to a visitor accommodation licence held by a VAP if—

(a) the Welsh Ministers consider that a condition of the licence has been breached and that condition is likely—

(i) to continue to be breached, or

(ii) to be breached again;

(b) the VAP has agreed that the licence should be revoked.

(2) Where this subsection applies, the Welsh Ministers may revoke the licence and give a notice to the VAP ("a revocation notice")—

(a) informing the VAP that the licence is revoked,

(b) setting out the reasons why the licence is revoked, and

(c) (except where the VAP has agreed that the licence be revoked) explaining any right of appeal against their decision to revoke the licence conferred by section 29.

(3) A revocation of a licence stated in a notice under subsection (2) takes effect—

(a) where the VAP has agreed that the licence be revoked, on the date the notice is given, and

(b) in any other case—

(i) if no appeal is made against the decision, on the day after the last day of the appeal period referred to in section 29;

(ii) if an appeal is made, on the day specified by the First-tier Tribunal in determining the appeal or on the day the appeal is withdrawn.

(4) But section 24 makes provision about circumstances in which, despite subsection (1)(a) of this section applying, the Welsh Ministers may not revoke a licence without first giving the VAP an opportunity to remedy the breach.

(5) The Welsh Ministers may make provision by regulations about the circumstances in which—

(a) the Welsh Ministers may inform the VAP in advance of their intention to give a revocation notice under subsection (2) if a licence condition that has previously been breached is breached again;

(b) a revocation notice given under subsection (2) may take effect immediately due to the seriousness of the breach.

24 Breach of licence conditions: remedial notices

(1) The Welsh Ministers must make provision by regulations about the circumstances in which the Welsh Ministers may not revoke a licence by virtue of section 23(1)(a) without first issuing a notice (a "remedial notice") giving the VAP an opportunity to remedy the breach.

(2) Regulations under subsection (1) may make provision about remedial notices including in respect of (but not limited to)—

(a) the form and content of a remedial notice;

(b) the steps that may be required, or the activity that must be stopped, to remedy a breach of a licence condition;

(c) the timeframe for carrying out the steps, or for stopping the activity, referred to in paragraph (b);

(d) preventative action that may be required to reduce the risk of a breach occurring again;

(e) the timeframe for carrying out the action referred to in paragraph (d);

(f) the circumstances in which, due to a risk of serious harm to a visitor, a visitor may not reside at the accommodation until a breach of a licence condition has been remedied;

(g) the circumstances in which a revocation notice may be issued under section 23 due to a failure to comply with a remedial notice;

(h) any circumstances in which, despite a failure to comply with a remedial notice, a revocation notice may not be issued under section 23;

(i) varying or withdrawing a remedial notice;

(j) inspecting premises or requiring information to be provided for the purpose of assessing whether a remedial notice has been complied with.

(3) Regulations under this section may make provision—

(a) for appeals;

(b) amending this Act.

Licences: licence periods, renewal and amendment

25 Licence periods and renewal of licence

(1) A visitor accommodation licence expires at the end of—

(a) the period of 1 year beginning with the date on which it is granted, or

(b) such other period as may be prescribed by the Welsh Ministers in regulations.

(2) Regulations under subsection (1)(b) may provide that a prescribed period applies—

(a) in relation to a description of premises;

(b) in relation to a description of regulated visitor accommodation;

(c) by reference to the nature or content of the contracts under which a description of regulated visitor accommodation is provided pursuant to a licence;

(d) in relation to a description of VAP to which a licence is granted;

(e) by reference to a description of person to which visitor accommodation is provided at premises pursuant to a licence;

(f) in relation to or by reference to any other matter that the Welsh Ministers consider appropriate.

(3) The Welsh Ministers must make provision by regulations in relation to renewal of a visitor accommodation licence.

(4) Regulations under subsection (3)—

(a) must make provision enabling a licence to be treated as continuing to have effect until the date on which the Welsh Ministers determine an application for a renewal;

(b) may (among other things) make provision about the making and determination of applications for renewal;

(c) may (among other things) prescribe requirements to be met in relation to an application by a VAP for renewal of a visitor accommodation licence—

(i) in relation to a description of premises;

(ii) in relation to a description of regulated visitor accommodation;

(iii) by reference to the nature or content of the contracts under which a description of regulated visitor accommodation is provided pursuant to a licence;

(iv) in relation to a description of VAP to which a licence is granted;

(v) by reference to a description of person to which visitor accommodation is provided at premises pursuant to a licence;

(vi) in relation to or by reference to any other matter that the Welsh Ministers consider appropriate.

(5) Regulations under this section may make provision—

(a) for appeals;

(b) amending this Act.

26 Amendment of licence

(1) The Welsh Ministers may make provision by regulations in relation to amendment of a visitor accommodation licence (on a permanent or temporary basis).

(2) Regulations under subsection (1) may (among other things) make provision—

(a) about the procedure by which—

(i) a VAP may apply for an amendment of a licence;

(ii) the Welsh Ministers may amend a licence without the agreement of the VAP;

(b) about the circumstances in which—

(i) the details of the premises or accommodation to which the licence relates may be amended;

(ii) licence conditions may be amended.

(3) But, where regulations under subsection (1) provide that a licence may be amended so that a condition in section 15(3)(c) (fitness of premises) does not apply to premises in respect of which the licence was granted—

(a) the regulations must also provide that the licence must be subject to the condition in subsection (4);

(b) the regulations may make provision for a summary offence punishable with a fine in respect of a breach of the condition in subsection (4).

(4) The condition is that the VAP does not permit any visitor to enter the premises referred to in subsection (3) for the purposes of residing in or at the regulated visitor accommodation.

(5) Regulations under subsection (1) may make provision—

(a) for appeals;

(b) amending this Act.

(6) For the purposes of this section a reference to "premises"—

(a) is, in relation to an amendment of a condition that applies in respect of a part of premises in which regulated visitor accommodation is provided, a reference to that part, and

(b) in the case of a condition that relates to accommodation of a description given in section 5(1)(a) (regulated self-catering accommodation), includes any outdoor area, garage or other building provided for the exclusive use of a visitor during the period in which the visitor is entitled to reside in or at the accommodation;

(see also section 6(4) which makes similar provision in relation to the application of fitness standards to premises at which visitor accommodation is provided).

Licences: provisional licences

27 Provisional licences

(1) This section applies where a VAP—

(a) intends to provide, or offer to provide, regulated visitor accommodation at premises in Wales in respect of which the VAP is registered, and

(b) considers the VAP—

(i) is able to demonstrate that the approval requirements in section 19(2)(a) and (b) are met in respect of the premises, and

(ii) is unable, for the time being, to demonstrate that the approval requirements in section 19(2)(c)(i) and (ii) (fitness of premises) are met in respect of the premises.

(2) Where this section applies the VAP may make an application to the Welsh Ministers for a provisional visitor accommodation licence in respect of the premises.

(3) In subsection (2) a "provisional visitor accommodation licence" means a licence granted subject to—

(a) the conditions set out in section 15(3)(a) and (b), and

(b) the condition that the VAP does not permit any visitor to enter the premises for the purposes of residing in or at the regulated visitor accommodation.

(4) An application under subsection (2) must—

(a) be in such form, and made in such manner, as the Welsh Ministers may specify;

(b) be accompanied by such fee as the Welsh Ministers may prescribe by regulations under section 35(1) in connection with their functions under subsection (5);

(c) specify the approval requirements the VAP considers are not met;

(d) contain such other information as the Welsh Ministers may specify.

(5) Where a VAP makes an application under subsection (2), the Welsh Ministers must, as soon as reasonably practicable after receiving the application—

(a) determine whether the approval requirements in section 19(2)(a) and (b) are met in respect of the premises to which the application relates, and

(b) give notice to the VAP in accordance with subsection (9).

(6) The Welsh Ministers must grant the licence to the VAP where—

(a) the Welsh Ministers are satisfied that the approval requirements referred to in subsection (5)(a) are met in respect of the premises to which the application relates, and

(b) any fee as the Welsh Ministers may prescribe by regulations under section 35(1) in connection with the grant of the licence is paid.

(7) Where the Welsh Ministers are not satisfied that the approval requirements in section 19(2)(a) and (b) are met in respect of the premises to which the application relates, they must refuse the application.

(8) For the purposes of this section, the Welsh Ministers may decide whether or not they are satisfied that an approval requirement is met—

(a) on the basis only of information contained in (or omitted from) the application, or

(b) on the basis of that information and any other information available to the Welsh Ministers, including (but not limited to) information provided in connection with any of their functions under or by virtue of Parts 3 to 5 of this Act.

(9) Where the Welsh Ministers give a notice under subsection (5)(b)—

(a) the notice must—

(i) inform the VAP of the outcome of the application (including, where the application is refused, of the reasons why the Welsh Ministers are not satisfied that the approval requirements in section 19(2)(a) and (b) are met), and

(ii) set out any right of appeal conferred by section 29;

(b) any decision stated in the notice takes effect on the date the notice is given.

(10) Where a VAP makes an application under subsection (2) that relates to two or more premises, the Welsh Ministers may separately grant or refuse the application in respect of each of the premises.

(11) For the purposes of this section and section 28, a reference to "the premises"—

(a) is, in relation to an application for a licence that relates to regulated visitor accommodation provided in part of the premises, a reference to such part of the premises in which that accommodation is provided, and

(b) in the case of an application for a licence that relates to accommodation of a description given in section 5(1)(a) (regulated self-catering accommodation), includes any outdoor area, garage or other building provided for the exclusive use of a visitor during the period in which the visitor is entitled to reside in or at the accommodation;

(see also section 6(4) which makes similar provision in relation to the application of fitness standards to premises at which visitor accommodation is provided).

28 Provisional licences: further provision

(1) A VAP to which a provisional visitor accommodation licence has been granted under section 27 may (at any time) apply for a visitor accommodation licence under section 18 (a "full licence").

(2) But where the Welsh Ministers grant a full licence to a VAP in respect of premises under section 20, they must revoke the provisional visitor accommodation licence that the VAP holds in respect of those premises.

(3) The Welsh Ministers may by regulations make further provision about provisional licences.

(4) Regulations under subsection (3) may (among other things)—

(a) make provision for a summary offence punishable with a fine in respect of a breach of the condition in section 27(3)(b);

(b) make further or different provision about the application of criminal offences under this Act in relation to provisional visitor accommodation licences, including provision modifying those offences in their application in relation to such licences;

(c) amend—

(i) this Act;

(ii) the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5).

Appeals

29 Licensing appeals

(1) A person to which the Welsh Ministers give notice of a decision in subsection (2) may appeal against that decision to the tribunal.

(2) The decisions are—

(a) a decision of the Welsh Ministers in relation to the grant of a visitor accommodation licence;

(b) a decision of the Welsh Ministers in relation to the revocation of a visitor accommodation licence.

(3) An appeal under subsection (1) must be made before the end of the period of 28 days beginning with the date on which notice of the decision was given ("the appeal period").

(4) But the tribunal may allow an appeal to be made after the expiry of that 28 day period if it is satisfied that there is a good reason for the failure to appeal before the expiry of that period (and for any delay in applying for permission to appeal out of time).

(5) On appeal under subsection (1), the tribunal may—

(a) confirm the decision;

(b) direct that the decision is not to take effect (or, if the decision has taken effect, direct that the decision is to cease to have effect);

(c) substitute for the decision appealed against another decision that the Welsh Ministers could have made;

(d) make such other order (including an interim order) as the tribunal considers appropriate.

(6) In this section, "the tribunal" means the First-tier Tribunal.

Enforcement

30 Power of entry and inspection for enforcement purposes

(1) This section applies where—

(a) a visitor accommodation licence has been granted to a VAP in respect of premises in accordance with this Part, and

(b) the Welsh Ministers have reasonable grounds for believing that—

(i) the VAP has given false or misleading information to the Welsh Ministers in relation to the licence, or

(ii) a condition of the licence has been breached.

(2) Where this section applies and the Welsh Ministers consider that it is necessary or expedient for the purpose of determining whether any of the circumstances mentioned in subsection (1)(b) have arisen, an authorised person may (subject to subsection (3)) enter the premises at any reasonable time.

(3) An authorised person—

(a) must give reasonable notice of their intention to enter the premises to the VAP;

(b) may not enter the premises by force under this section;

(c) before entering premises under this section, must, if asked to do so, show evidence of the person's authorisation by the Welsh Ministers;

(d) may take with them such other persons and equipment as the authorised person considers appropriate;

(e) may inspect, copy or take away documents found on the premises, other than any documents belonging to a visitor who is residing at the premises.

(4) In subsection (3)(e), references to—

(a) documents include information recorded in any form;

(b) documents found on the premises include—

(i) documents stored on computers or electronic storage devices on the premises, and

(ii) documents stored elsewhere that can be accessed by computers on the premises.

(5) The power conferred by subsection (3)(e) includes power—

(a) to impose requirements as to the form in which documents are provided (which may include requirements to provide legible copies of documents stored electronically);

(b) to inspect a computer or other electronic storage device (other than a device belonging to a visitor) on which documents have been created or stored.

(6) An authorised person is not liable in any civil or criminal proceedings for anything done in the purported performance of the person's functions under this section if the court is satisfied that the act was done in good faith and that there were reasonable grounds for doing it.

31 Warrant to enter and inspect premises for enforcement purposes

(1) This section applies if a justice of the peace is satisfied on sworn information in writing—

(a) where the premises are premises in relation to which a licence has been granted—

(i) that there are reasonable grounds for entering the premises for the purpose of determining whether any of the circumstances mentioned in section 30(1)(b) have arisen, and

(ii) that admission to the premises has been refused or a refusal is reasonably expected or that giving notice to the VAP of an authorised person's intention to enter the premises is likely to defeat the purpose of the entry, or

(b) where the premises are not premises in relation to which a visitor accommodation licence has been granted, that there are reasonable grounds to believe that the premises are (or have been) used as a place at which regulated visitor accommodation is (or has been) offered or provided.

(2) For the purposes of subsection (1)(a)(ii), admission to premises is to be treated as having been refused if no reply is received to a request for admission within a reasonable period.

(3) The justice of the peace may issue a warrant conferring a power to enter the premises on an authorised person.

(4) A warrant under this section confers a power to enter premises—

(a) on one occasion only, and

(b) only at a reasonable time, unless the case is one of urgency.

(5) A person authorised to enter premises under a warrant—

(a) before entering premises under the warrant, must, if asked to do so—

(i) show evidence of the person's authorisation by the Welsh Ministers;

(ii) produce the warrant;

(iii) state the purpose of the entry;

(b) may take with them such other persons and equipment as the person considers appropriate;

(c) may inspect, copy or take away documents found on the premises, other than any documents belonging to a visitor who is residing at the premises.

(6) In subsection (5)(c), references to—

(a) documents include information recorded in any form;

(b) documents found on the premises include—

(i) documents stored on computers or electronic storage devices on the premises, and

(ii) documents stored elsewhere that can be accessed by computers on the premises.

(7) The power conferred by subsection (5)(c) includes power—

(a) to impose requirements as to the form in which documents are provided (which may include requirements to provide legible copies of documents stored electronically);

(b) to inspect a computer or other electronic storage device (other than a device belonging to a visitor) on which documents have been created or stored.

(8) A warrant under this section ceases to have effect at the end of 1 month beginning with the day it is issued.

Offences

32 Regulated visitor accommodation at unlicensed premises: offence

(1) It is an offence for a person to provide regulated visitor accommodation, in the course of trade or business, at any premises unless—

(a) the person holds a visitor accommodation licence in respect of the premises that relates to the regulated visitor accommodation;

(b) where the person does not hold a visitor accommodation licence in respect of the premises that relates to the regulated visitor accommodation, the person provides the accommodation with the permission of a person ("P") that holds such a licence (regardless of whether that permission was given by P or with the authority of P).

(2) A person does not commit an offence under subsection (1) if the person had a reasonable excuse for the act or omission falling within that subsection.

(3) A person that commits an offence under subsection (1) is liable on summary conviction to a fine.

33 Offence of wilful obstruction

(1) A person referred to in subsection (2) commits an offence if the person wilfully obstructs an authorised person validly exercising a function under section 30.

(2) The persons are—

(a) a person holding a visitor accommodation licence in respect of the premises in relation to which the authorised person is exercising the function ("the relevant premises");

(b) a person (other than a person holding a visitor accommodation licence in respect of the relevant premises) that provides or offers to provide regulated visitor accommodation at the relevant premises;

(c) a person that assists with or facilitates (or has assisted with or facilitated) the provision of regulated visitor accommodation by a person mentioned in paragraph (a) or (b) at the relevant premises.

(3) A person commits an offence if the person wilfully obstructs an authorised person in the exercise of a power conferred by virtue of a warrant under section 31.

(4) A person guilty of an offence under subsection (1) or (3)is liable on summary conviction to a fine.

Other functions of the Welsh Ministers

34 Duty to maintain a register in relation to licensing

(1) The Welsh Ministers must establish and maintain a register of visitor accommodation licences.

(2) The register established under subsection (1)—

(a) must contain the information set out in subsection (3);

(b) may contain any other information in relation to the exercise of their functions under or by virtue of this Act that the Welsh Ministers consider appropriate.

(3) An entry in the register relating to a licence granted to a VAP under this Chapter must contain the following information—

(a) the name of the VAP;

(b) any business name used by the VAP;

(c) the business address of the VAP;

(d) the regulated visitor accommodation to which the licence relates;

(e) the premises to which the licence relates;

(f) the registration number issued by WRA to the VAP in respect of the premises under Part 2 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5);

(g) the date the licence was granted and, where applicable, amended or renewed;

(h) the date on which the licence will expire;

(i) such information in relation to—

(i) the approval requirements;

(ii) the licence conditions,

as the Welsh Ministers consider appropriate.

(4) The Welsh Ministers must publish the information contained in an entry in the register under subsection (2)(a).

(5) But the Welsh Ministers must not publish—

(a) the name of an individual, unless—

(i) the individual consents to the publication, or

(ii) the individual's forename and surname are part of the business name of a VAP;

(b) the address of an individual's sole or main residence, unless—

(i) the individual consents to the publication, or

(ii) the address is of premises in respect of which a VAP is registered.

(6) The Welsh Ministers may publish information contained in the register by virtue of subsection (2)(b); but they may not publish information under this subsection if they are prohibited from publishing that information by any enactment or rule of law.

(7) For the purposes of this section, the "business address" of a partnership, a body corporate or an unincorporated body is the address of its registered or principal office.

35 Fees in relation to visitor accommodation licences

(1) The Welsh Ministers may by regulations make provision for and in relation to the charging of fees in connection with the exercise of their functions under or by virtue of this Chapter or Chapter 1 of Part 5 of this Act.

(2) Regulations under subsection (1) may (among other things) provide for—

(a) the amount, or the maximum amount, of a fee;

(b) a fee, or the maximum amount of a fee, to be determined in accordance with regulations;

(c) different fees in different circumstances;

(d) reduction, waiver or refund of fees;

(e) the manner in which fees are to be paid;

(f) appeals against decisions relating to fees;

(g) a fee to be recovered summarily as a civil debt.

(3) Before making the first regulations under subsection (1), the Welsh Ministers must consult any persons they consider appropriate and allow those persons a period of at least 12 weeks to respond.

(4) Before making the second or subsequent regulations under subsection (1), the Welsh Ministers must consult any persons they consider appropriate.

36 Powers to share information

(1) A person mentioned in subsection (3) may disclose information to the Welsh Ministers for the purposes of any of the Welsh Ministers' functions under Parts 3 to 5 of this Act or under regulations made under Parts 3 to 5 of this Act.

(2) The Welsh Ministers may disclose information held in connection with any of their functions under or by virtue of this Chapter, Part 4 or Chapter 1 of Part 5 of this Act to—

(a) a person mentioned in subsection (3), where the information is disclosed for the purposes of that person's functions;

(b) any person (including a person mentioned in subsection (3)), for the purposes of any of the Welsh Ministers' functions under or by virtue of this Chapter, Part 4 or Chapter 1 of Part 5 of this Act.

(3) The persons mentioned in this subsection are—

(a) a county or county borough council in Wales;

(b) a fire and rescue authority for an area in Wales;

(c) WRA;

(d) a National Park authority for a National Park in Wales;

(e) a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1);

(f) a person designated as a licensing authority for the purposes of Part 1 of the Housing (Wales) Act 2014 (anaw 7) (regulation of private rented housing);

(g) a person prescribed by the Welsh Ministers in regulations.

(4) A disclosure of information under this section does not breach—

(a) any obligation of confidence owed by the person making the disclosure, or

(b) any other restriction on the disclosure of information (however imposed).

(5) But see also section 183A of the Data Protection Act 2018 (c. 12) (protection of requirements for processing personal data).

(6) In section 18(1) of the Tax Collection and Management (Wales) Act 2016 (anaw 6) (permitted disclosures)—

(a) omit the "or" after paragraph (i);

(b) in paragraph (k)(ii), for "section 2 of the Development of Tourism Act 1969 (c. 51)" substitute "the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00)".

37 Specific provision applicable in respect of campsite and caravan site licences

(1) Subsections (2) and (3) apply if regulations under section 5(1)(b) (description of "regulated visitor accommodation") prescribe visitor accommodation at—

(a) a campsite to which section 269 of the Public Health Act 1936 (c. 49) applies;

(b) a caravan site to which Part 1 of the Caravan Sites and Control of Development Act 1960 (c. 62) applies.

(2) The Welsh Ministers may, when granting or renewing a visitor accommodation licence in relation to the provision of visitor accommodation of that description, specify such licence conditions (applicable on a case by case basis) as they consider appropriate to—

(a) limit the period of time during any calendar year in which that visitor accommodation may be provided at the relevant campsite or caravan site;

(b) limit the capacity of that visitor accommodation provided at the relevant campsite or caravan site;

(c) maintain or enhance the amenity of the land on which the relevant campsite or caravan site is situated.

(3) Conditions under subsection (2) may be specified only with the agreement of the county or county borough council for the area in which the campsite or caravan site is situated.

(4) The Welsh Ministers may by regulations modify any provision of this Chapter for any purpose connected to conditions being specified under this section.

CHAPTER 3

REGULATED VISITOR ACCOMMODATION: CONTRACT TERMS

Contractual terms and fitness for visitor accommodation

38 Visitor accommodation contracts

(1) For the purposes of this Chapter, a contract is a "visitor accommodation contract" if the contract entitles an individual ("a visitor"), to reside in or at regulated visitor accommodation for no more than 31 nights (whether or not those nights are consecutive).

(2) In subsection (1), "visitor accommodation contract" does not include—

(a) a contract of service,

(b) a contract of apprenticeship, or

(c) a contract for services under which a person entitled to reside in or at the regulated visitor accommodation provides a service to the VAP.

39 Contractual obligation to ensure premises fit for visitor accommodation

(1) Subsection (2) is incorporated as a term of a visitor accommodation contract.

(2) The VAP must ensure that the premises at which the regulated visitor accommodation is provided are fit for visitor accommodation when, in accordance with the contract, the visitor is entitled to reside in or at the accommodation.

(3) Subsection (2)—

(a) may be incorporated as a term of a visitor accommodation contract with modifications, or

(b) need not be incorporated as a term of a visitor accommodation contract,

if the effect of the modifications, or of not incorporating subsection (2), is more favourable to the visitor.

(4) The term of the contract that incorporates subsection (2) may be relied on by a visitor entitled to reside at the premises in accordance with the contract, regardless of whether the visitor is a party to that contract.

(5) The incorporation of subsection (2) as a term of a visitor accommodation contract has no effect on the operation of any other enactment or rule of law that is more favourable to the visitor.

(6) A term of a visitor accommodation contract that is incompatible with any of the following has no effect—

(a) the term of the contract incorporating subsection (2) (with or without modifications);

(b) subsection (4);

(c) section 40;

(d) section 41.

(7) In this Chapter, references to subsection (2) include a reference to the term of a visitor accommodation contract that incorporates subsection (2) (with or without modifications).

Limits on obligation to ensure premises fit for visitor accommodation

40 Limits on fitness for visitor accommodation duty: visitor's fault

(1) Section 39 does not impose any liability on the VAP if the premises are not fit for visitor accommodation wholly or mainly because of an act or omission (including an act or omission amounting to lack of care) of the visitor.

(2) The VAP is not required by section 39(2) to carry out works or repairs if the disrepair is wholly or mainly attributable to lack of care by the visitor.

(3) "Lack of care" means a failure to take proper care—

(a) of the premises, and

(b) if the premises form part only of a building, of the common parts that the visitor is entitled to use under the visitor accommodation contract.

41 Limits on fitness for visitor accommodation duty: knowledge of VAP

(1) A VAP has not failed to comply with the requirement under section 39(2) if the VAP—

(a) is unaware, and

(b) could not reasonably be expected to be aware,

that the premises are not fit for visitor accommodation.

(2) A VAP has not failed to comply with the requirement under section 39(2) if the VAP makes the premises fit for visitor accommodation within a reasonable time after the VAP became aware, or could reasonably be expected to be aware, that the premises were not fit for visitor accommodation.

(3) But subsection (2) does not apply if a visitor's entitlement to reside in or at the regulated visitor accommodation begins at a time when the VAP is aware, or could reasonably be expected to be aware, that the premises are not fit for visitor accommodation.

(4) For the purposes of determining what is a "reasonable time", regard must be had to—

(a) the extent to which the visitor's enjoyment of the premises is impaired, and

(b) whether it is reasonable and possible to carry out the necessary works or repairs before the end of the period during which the visitor is entitled to reside in or at the accommodation.

PART 4

PROVISION OF INFORMATION TO THE PUBLIC ABOUT VISITOR ACCOMMODATION

Directory of visitor accommodation premises

42 Visitor accommodation directory

(1) Subsection (2) applies in respect of information—

(a) WRA is required to publish in accordance with section 4(4) of, and Schedule 1 to, the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5) (the register of visitor accommodation providers), and

(b) the Welsh Ministers are required to publish in accordance with section 34 of this Act (the visitor accommodation licences register).

(2) WRA and the Welsh Ministers must ensure that the information to which this subsection applies is made available to the public, collectively, in the form of an electronic directory of premises at which visitor accommodation is provided.

(3) Accordingly, the directory must include—

(a) in relation to each premises at which visitor accommodation is provided—

(i) the name of the premises (if the premises has a name);

(ii) the address (including the county or county borough) of the premises;

(iii) the name of the VAP (or each VAP) registered to provide visitor accommodation at the premises (including any business name used by the VAP);

(iv) the registration number issued by WRA to the VAP (or each VAP) in respect of the premises under Part 2 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5);

(v) the description of visitor accommodation provided at the premises by the VAP (or each VAP);

(vi) the name of that visitor accommodation (if the accommodation has a name and it is different to the name of the premises);

(vii) the maximum number of people that can be accommodated in the visitor accommodation;

(viii) any other information of a description given in subsection (1);

(b) in relation to premises at which a VAP provides regulated visitor accommodation—

(i) details of any licence held by the VAP in respect of the premises which the Welsh Ministers are required to make available by virtue of subsection (2);

(ii) confirmation of any exemption from the requirement to be licensed granted to the VAP in relation to the premises (or such part of the premises) at which that accommodation is provided, and

(c) in relation to premises at which the VAP provides visitor accommodation other than regulated visitor accommodation, confirmation that the VAP is not required to be licensed under Part 3 in relation to the provision of that accommodation at those premises.

(4) WRA may include any other information in the directory that relates to the exercise of the WRA's functions under—

(a) this Act;

(b) the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5);

(c) the Tax Collection and Management (Wales) Act 2016 (anaw 6);

(d) any regulations made under those Acts.

(5) The Welsh Ministers may include any other information in the directory that relates to the exercise of their functions under this Act and any regulations made under this Act.

(6) But the directory may not include any information that the Welsh Ministers or WRA must not publish by virtue of—

(a) in the case of the Welsh Ministers, section 34(5) of this Act;

(b) in the case of WRA, section 4(5) of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5).

(7) Subsections (2) and (3) apply in relation to premises in respect of which a VAP is registered, regardless of whether the VAP provides or offers to provide visitor accommodation at those premises on any given day; and references to "provided" etc. are to be read accordingly.

Advertising and marketing etc.

43 Requirements relating to advertising and marketing etc.

(1) A person must not advertise or otherwise market visitor accommodation (including regulated visitor accommodation) at premises without including, in a manner and form specified by the Welsh Ministers—

(a) the registration number for the premises, and

(b) instructions about how to find information about the premises, using that registration number, in the visitor accommodation directory made available to the public under section 42 (visitor accommodation directory).

(2) For the purposes of subsection (1), the registration number for the premises is—

(a) where the person advertising or otherwise marketing the accommodation is the VAP that provides or offers the accommodation, the registration number issued by WRA to the person in respect of the premises under Part 2 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5), or

(b) where the person advertising or otherwise marketing the accommodation is not a VAP issued a registration number in respect of the premises, the registration number issued to the VAP that is registered in respect of the premises in relation to the accommodation being advertised or otherwise marketed.

(3) A person ("P") must not, in the course of trade or business, advertise or otherwise market or offer regulated visitor accommodation (regardless of whether P is a provider of the accommodation), unless P or another person holds a visitor accommodation licence in respect of the premises that relates to the regulated visitor accommodation in question.

44 Offences relating to advertising and marketing etc. of visitor accommodation

(1) A person commits an offence if that person fails to comply with the requirement in section 43(1).

(2) A person commits an offence if that person fails to comply with the requirement in section 43(3).

(3) But a person does not commit an offence under subsection (1) or (2) if that person has a reasonable excuse for the failure to comply with the requirement in question.

(4) Without limiting the generality of subsection (3), a person ("P") has a reasonable excuse if—

(a) P took all reasonable steps to comply with the requirement in question;

(b) P did not know, and could not reasonably have been expected to know, that P was not complying with the requirement in question.

(5) A person that commits an offence under subsection (1) or (2) is liable on summary conviction to a fine.

(6) Where an act or omission is an offence under subsections (1) and (2), a person is liable to be prosecuted and punished under either of those subsections, but cannot be punished more than once for the same offence.

PART 5

MISCELLANEOUS AND GENERAL

CHAPTER 1

MISCELLANEOUS

Application of Act to special cases

45 Duties and liabilities of partnerships and unincorporated bodies

(1) Where anything required or permitted to be done under this Act is to be done by or in relation to persons carrying on business in partnership, it must be done by or in relation to every person who is a partner at the time when it is done or required to be done.

(2) But anything that is required or permitted to be done by every partner may instead be done by any of them; and if the partnership's principal place of business is in Scotland, it may also be done by any other person authorised by the partnership.

(3) Where anything required or permitted to be done under this Act is to be done by or in relation to persons carrying on business as an unincorporated body, it must be done by or in relation to every person who is a managing member of the body at the time when it is done or required to be done.

(4) But anything that is required or permitted to be done by every managing member of the body may instead be done by any of them.

(5) A liability to pay a relevant amount as a result of anything done or omitted to be done by persons carrying on business in partnership or as an unincorporated body is a joint and several liability of every person who is a member of the partnership or body at the time when the thing is done or omitted to be done.

(6) For the purposes of this section—

(a) the managing members of an unincorporated body are—

(i) each member of the unincorporated body holding office as president, chair, treasurer, secretary or any similar office;

(ii) if there is no such office, each member holding office as a member of a committee by which the affairs of the body are managed;

(iii) if there is no such office or committee, each member of the body;

(b) "relevant amount" means an amount payable in relation to obtaining or maintaining a visitor accommodation licence.

46 Power to make further provision about partnerships and unincorporated bodies

The Welsh Ministers may by regulations add to, repeal or revoke or otherwise amend any provision made by or under this Act in relation to cases where persons carry on business in partnership or as an unincorporated body.

47 Offences committed by partnerships and unincorporated bodies

(1) Proceedings for an offence under this Act alleged to have been committed by a partnership are to be brought in the name of the partnership (and not in that of any of the partners).

(2) Proceedings for an offence under this Act alleged to have been committed by an unincorporated body are to be brought in the name of the body (and not in that of any of its members).

(3) Rules of court relating to the service of documents have effect as if the partnership or unincorporated body were a body corporate.

(4) Schedule 3 to the Magistrates' Courts Act 1980 (c. 43) applies in proceedings for an offence brought against a partnership or an unincorporated body as it applies in relation to a body corporate.

(5) A fine imposed on a partnership on its conviction for an offence under this Act is to be paid out of the partnership's assets.

(6) A fine imposed on an unincorporated body on its conviction for an offence under this Act is to be paid out of the funds of the body.

48 Criminal liability of senior officers etc.

(1) This section applies where an offence under this Act is committed by—

(a) a body corporate;

(b) a partnership;

(c) an unincorporated body.

(2) If the offence is proved to have been committed by, or with the consent or connivance of, or to be attributable to neglect on the part of—

(a) a senior officer of the body corporate or partnership or unincorporated body, or

(b) any person purporting to act in a capacity mentioned in paragraph (a),

that senior officer or person (as well as the body corporate, partnership or unincorporated body) is guilty of the offence and liable to be proceeded against and punished accordingly.

(3) In this section, "senior officer" means—

(a) in relation to a body corporate, a director, manager, secretary or other similar officer of the body corporate;

(b) in relation to a partnership, a partner in the partnership;

(c) in relation to an unincorporated body—

(i) a member of the unincorporated body holding office as president, chair, treasurer, secretary or any similar office;

(ii) a member holding office as a member of a committee by which the affairs of the body are managed.

(4) In subsection (3)(a), "director", in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

49 Power to make provision about death, incapacity and insolvency

(1) The Welsh Ministers may by regulations add to, repeal or revoke or otherwise amend any provision made by or under this Act in relation to cases where a VAP dies, becomes incapacitated or becomes subject to an insolvency procedure, or otherwise ceases to exist.

(2) Regulations under subsection (1) may (among other things) make provision—

(a) about the circumstances in which a VAP becomes, or ceases to be, incapacitated or subject to an insolvency procedure, or otherwise ceases to exist;

(b) prescribing circumstances in which continuity in the provision of regulated visitor accommodation (see Chapter 2 of Part 3) may be permitted on an interim or temporary basis where a VAP has died, become incapacitated or become subject to an insolvency procedure, or has otherwise ceased to exist (including circumstances in which the offences under sections 32 and 44 do not apply);

(c) permitting the transfer of a visitor accommodation licence, including (among other things) provision—

(i) prescribing circumstances in which the transfer of a visitor accommodation licence is or is not permitted;

(ii) prescribing requirements that must be complied with before a licence may be transferred;

(iii) prescribing circumstances in which the transfer of a licence requires the approval of the Welsh Ministers;

(iv) about the making and determination of applications for approval;

(v) for and in relation to the charging of fees in connection with the transfer of a licence;

(d) that applies subject to conditions;

(e) that applies whether or not anyone else carries on the business of the VAP after the VAP dies, becomes incapacitated or becomes subject to an insolvency procedure, or otherwise ceases to exist;

(f) for—

(i) an offence under or by virtue of Parts 3 to 5 of this Act not to apply;

(ii) summary offences punishable with a fine in respect of failures to comply with the regulations;

(iii) appeals.

50 Power to make provision about transfers of businesses as going concerns etc.

(1) The Welsh Ministers may by regulations make provision for securing continuity in the application of this Act where—

(a) a VAP's business is transferred from the VAP to another person as a going concern;

(b) premises at which regulated visitor accommodation is provided are transferred.

(2) Regulations under subsection (1) may (among other things) make provision—

(a) in relation to the transfer of a VAP's business as a going concern or the transfer of premises at which regulated visitor accommodation is provided—

(i) requiring the Welsh Ministers to be notified of the transfer;

(ii) for any liability or duty of the transferor under or by virtue of this Act to become a liability or duty of the transferee;

(iii) for anything done before the transfer by or in relation to the transferor to be treated for the purposes of this Act as having been done by or in relation to the transferee;

(iv) about duties to keep and preserve records;

(v) prescribing circumstances in which continuity in the provision of regulated visitor accommodation may be permitted on an interim or temporary basis where a VAP's business is transferred from the VAP to another person as a going concern or premises at which regulated visitor accommodation is provided are transferred (including circumstances in which the offences under sections 32 and 44 do not apply);

(b) permitting the transfer of a visitor accommodation licence, including (among other things) provision—

(i) prescribing circumstances in which the transfer of a visitor accommodation licence is or is not permitted;

(ii) prescribing requirements that must be complied with before a licence may be transferred;

(iii) prescribing circumstances in which the transfer of a licence requires the approval of the Welsh Ministers;

(iv) about the making and determination of applications for approval;

(v) for and in relation to the charging of fees in connection with the transfer of a licence.

(3) The regulations may make provision that applies subject to conditions, and may in particular—

(a) provide that the application to a transferor and transferee of any provision made under subsection (2)(a) requires the approval of the Welsh Ministers;

(b) make provision about the making and determination of applications for approval.

(4) The regulations may make provision for—

(a) an offence under or by virtue of Parts 3 to 5 of this Act not to apply;

(b) summary offences punishable with a fine in respect of failures to comply with the regulations;

(c) appeals.

(5) The regulations may amend or apply (with or without modifications) any relevant enactment.

51 Power to disapply certain provisions of Act

(1) The Welsh Ministers may by regulations provide that persons of a prescribed description, that would otherwise commit an offence under section 32 or 44, do not commit that offence.

(2) The regulations may also provide that the requirement in section 39(2) does not apply to any persons prescribed in accordance with subsection (1).

Power and offences relating to provision of information

52 Power to require information

(1) The Welsh Ministers may issue a notice (an "information notice") to a person mentioned in subsection (2), requiring that person to provide the Welsh Ministers with any information or document—

(a) that is of a description specified in the notice, and

(b) that the Welsh Ministers consider necessary or expedient for the purposes of exercising their functions under or by virtue of Parts 3 to 5 of this Act.

(2) The persons to which the Welsh Ministers may issue an information notice are—

(a) a person that has been granted a visitor accommodation licence;

(b) a person the Welsh Ministers consider may be providing or offering to provide, or may have provided or offered to provide regulated visitor accommodation;

(c) a person that assists with or facilitates (or has assisted with or facilitated) the provision of regulated visitor accommodation by a person mentioned in paragraph (a) or (b).

(3) A person issued an information notice must, if the person has access to the information or document in question, provide the information or document—

(a) in the required form, and

(b) on or before—

(i) the date specified in the notice, or

(ii) such other date as may be agreed by the person and the Welsh Ministers.

(4) An information notice does not require a person to provide the Welsh Ministers with information or a document if disclosure of that information or document is prohibited by any enactment or other rule of law.

(5) Information given by a person in response to an information notice may not be used in criminal proceedings against that person, but this does not apply—

(a) if the proceedings are for an offence under section 54 (providing false or misleading information);

(b) if the proceedings are for an offence of perverting the course of justice;

(c) if, in the proceedings, evidence relating to the information is adduced by or on behalf of the person;

(d) if, in the proceedings, a question relating to the information is asked by or on behalf of the person.

(6) An information notice must include information about the consequences under section 53 of failing to comply with the notice.

53 Offence of failing to comply with an information notice

(1) A person that, without reasonable excuse, fails to comply with section 52 commits an offence.

(2) A person that commits an offence under subsection (1) is liable on summary conviction to a fine.

54 Offence of providing false or misleading information

(1) A person commits an offence if that person—

(a) provides any information or document to the Welsh Ministers, in connection with any of their functions under or by virtue of Parts 3 to 5 of this Act, that is false or misleading, and

(b) knows that the information or document is false or misleading or is reckless as to whether it is false or misleading.

(2) A person commits an offence if that person—

(a) provides any information or document to another person that is false or misleading,

(b) knows that the information or document is false or misleading or is reckless as to whether it is false or misleading, and

(c) knows that the information or document is to be used by the Welsh Ministers in connection with any of their functions under or by virtue of Parts 3 to 5 of this Act.

(3) It is a defence for a person charged with an offence under subsection (1) or (2) ("P") to show that, at the time of providing the information or document, P informed the person to which it was supplied, that P knew or suspected that it was false or misleading.

(4) A person that commits an offence under subsection (1) or (2) is liable on summary conviction to a fine.

(5) In this section "false or misleading" means false or misleading in any material respect.

Offences: penalty notices

55 Penalty notices

(1) The Welsh Ministers may give a penalty notice to a person if they are satisfied that the person has committed an offence under this Act.

(2) A penalty notice is a notice offering the person the opportunity of discharging any liability to conviction for the offence to which the notice relates by payment to the Welsh Ministers of a sum specified in the notice in accordance with the terms of the notice.

(3) If a person is given a penalty notice, proceedings for the offence to which the notice relates may not be brought before the end of such period as may be specified in the notice.

(4) If a person that is given a penalty notice pays the sum specified in the notice in accordance with the terms of the notice, the person cannot be convicted of the offence to which the notice relates.

(5) The Welsh Ministers may by regulations make provision—

(a) as to the form and content of penalty notices;

(b) as to the sum payable under a penalty notice and the time within which it is to be paid (including provision permitting a different sum to be payable in relation to different offences and according to the time by which it is paid);

(c) determining the ways in which a sum may be paid;

(d) as to the records to be kept in relation to penalty notices;

(e) about the circumstances in which a penalty notice may be withdrawn, including provision about—

(i) the repayment of any sum paid before a notice is withdrawn, and

(ii) the circumstances in which proceedings for an offence may not be brought despite the withdrawal of a notice.

CHAPTER 2

GENERAL

56 Guidance issued by the Welsh Ministers

(1) The Welsh Ministers must issue guidance in connection with the regulation of visitor accommodation under or by virtue of Parts 3 to 5 of this Act.

(2) Before issuing guidance under subsection (1), the Welsh Ministers must consult any persons they consider appropriate.

57 Power to make consequential, transitional etc. provision

(1) The Welsh Ministers may by regulations—

(a) make provision that is incidental or supplementary to, or consequential on, any provision of this Act;

(b) make transitional or saving provision in connection with any provision of this Act.

(2) Regulations under subsection (1) may amend, modify, repeal or revoke any enactment (whenever enacted or made, and including any provision of this Act) and this includes—

(a) if regulations under section 5(1)(b) (meaning of "regulated visitor accommodation") prescribe a description of visitor accommodation to which section 269 of the Public Health Act 1936 (c. 49) (licensing of camping sites) applies, disapplying that section in relation to Wales;

(b) if regulations under section 5(1)(b) (meaning of "regulated visitor accommodation") prescribe a description of visitor accommodation to which Part 1 of the Caravan Sites and Control of Development Act 1960 (c. 62) (licensing of caravan sites) applies, disapplying that Part in relation to Wales.

58 Review of operation and effect of Act

(1) The Welsh Ministers must—

(a) carry out a review of the operation and effect of Parts 3 to 5 of this Act, and

(b) publish, in such manner as they consider appropriate, a report of the review.

(2) The review under subsection (1) must be completed before the end of the period of 4 years beginning with the day on which those Parts come fully into force.

(3) In carrying out a review under subsection (1), the Welsh Ministers must consult any persons they consider appropriate.

(4) A report under subsection (1) must be laid before Senedd Cymru.

59 Regulations under this Act

(1) A power or duty to make regulations under this Act is exercisable by Welsh statutory instrument.

(2) A power or duty to make regulations under this Act includes power—

(a) to make different provision for different purposes or different areas;

(b) to make—

(i) incidental, supplementary or consequential provision;

(ii) transitional or saving provision.

(3) The provision that may be made by virtue of subsection (2) includes provision that amends, modifies, repeals or revokes any enactment (whenever enacted or made, and including any provision of this Act).

(4) Regulations under any of the following sections are subject to the Senedd approval procedure—

(a) section 5(1)(b) (meaning of regulated visitor accommodation);

(b) section 5(7)(d) (meaning of premises);

(c) section 6(2) (meaning of fitness for visitor accommodation);

(d) section 17(1) (further conditions);

(e) section 19(3) (approval requirements);

(f) section 24(1) (breach of licence conditions: remedial notices);

(g) section 25 (licence periods and renewal of licence);

(h) section 26(1) (amendment of licence);

(i) section 28(3) (provisional licences);

(j) the first regulations under section 35(1) (fees in relation to visitor accommodation licences);

(k) section 37(4) (specific provision applicable in respect of campsite and caravan site licences);

(l) section 46 (power to make further provision about partnerships and unincorporated bodies);

(m) section 49(1) (power to make provision about death, incapacity and insolvency);

(n) section 50(1) (power to make provision about transfers of businesses as going concerns);

(o) section 51(1) (power to disapply certain provisions of Act);

(p) section 55(5) (penalty notices);

(q) section 57(1) (power to make consequential, transitional etc. provision), where the regulations amend, modify or repeal an enactment contained in primary legislation (including any provision of this Act).

(5) Any other regulations under this Act are subject to the Senedd annulment procedure.

(6) In subsection (4), "primary legislation" means the following—

(a) an Act of Senedd Cymru;

(b) an Assembly Measure;

(c) an Act of the Parliament of the United Kingdom.

60 Interpretation and index of defined terms

(1) In this Act the following terms have the following meanings—

"approval requirements" ("*gofynion cymeradwyo*") has the meaning given in section 19(1);

"building" ("*adeilad*") includes a chalet, lodge, cabin or similar structure;

"fire and rescue authority" ("*awdurdod tân ac achub*") means a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 (c. 21) or a scheme to which section 4 of that Act applies;

"fitness for visitor accommodation" ("*ffitrwydd i fod yn llety ymwelwyr*") has the meaning given in section 6;

"general fitness standard" ("*safon gyffredinol o ran ffitrwydd*") has the meaning given in section 7;

"premises" ("*mangre*") has the meaning given in section 5(7);

"providing" ("*darparu*") or "offering to provide" ("*yn cynnig darparu*"), in the context of visitor accommodation, has the meaning given in section 5(7);

"provisional visitor accommodation licence" ("*trwydded llety ymwelwyr dros dro*") means a licence granted under section 27;

"registered" ("*cofrestredig*") means, unless the context requires otherwise, registered under Part 2 of the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5) and references to the register or to an entry in the register are to be construed accordingly;

"regulated visitor accommodation" ("*llety ymwelwyr rheoleiddiedig*") has the meaning given in section 5(1);

"short-term basis" ("*ar sail tymor byr*") has the meaning given in section 5(7);

"specific fitness standards" ("*safonau ffitrwydd penodol*") has the meaning given in section 8;

"tourist amenities, facilities and services in Wales" *("amwynderau, cyfleusterau a gwasanaethau i dwristiaid yng Nghymru")* have the meaning given in section 2(4);

"visitor" ("*ymwelydd*") has the meaning given in section 5(7);

"visitor accommodation" ("*llety ymwelwyr*") has the meaning given in section 5(7);

"visitor accommodation contract" ("*contract llety ymwelwyr*") has the meaning given in section 38;

"visitor accommodation licence" ("*trwydded llety ymwelwyr*") has the meaning given in section 14(1);

"visitor accommodation provider" ("*darparwr llety ymwelwyr*") (or "VAP" ("*DLlY*")) has the meaning given in section 5(7);

"WRA" ("*ACC*") means the Welsh Revenue Authority.

(2) In this Act, a reference to something done under this Act, or under a provision of this Act, includes something done by virtue of this Act or that provision as the case may be.

61 Coming into force

(1) This Chapter, other than section 56 (guidance), comes into force on the day after the day on which this Act receives Royal Assent.

(2) The remaining provisions of this Act come into force on a day appointed by the Welsh Ministers in an order made by Welsh statutory instrument, except that—

(a) sections 16, 24, 25(3) to (5), 26, 28, 35 and 51 come into force on 5 March 2029 if they have not come into force before that day, and

(b) the remaining provisions of this Act come into force on 4 March 2030 if they have not come into force before that day.

(3) The Welsh Ministers may by order made by Welsh statutory instrument amend the date referred to in subsection (2)(b) to a day that is no later than 2 years after that day.

(4) An order under subsection (2) may make—

(a) transitional, transitory or savings provision in connection with the coming into force of a provision of this Act;

(b) different provision for different areas and for different purposes.

62 Short title

This Act may be referred to as—

(a) the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026, or

(b) Deddf Datblygu Twristiaeth a Rheoleiddio Llety Ymwelwyr (Cymru) 2026.

SCHEDULE 1

(introduced by section 4(2))

AMENDMENTS TO THE DEVELOPMENT OF TOURISM ACT 1969

1 The Development of Tourism Act 1969 (c. 51) is amended as follows.

2 In section 1(2)(b), for "National Assembly for Wales" substitute "Welsh Ministers".

3 In section 2—

(a) in the words after subsection (1)(b)—

(i) for ", VisitScotland and the National Assembly for Wales" substitute "and VisitScotland";

(ii) for ", Scotland and Wales" substitute "and Scotland";

(b) in the words before paragraph (a) in subsection (2)—

(i) for "(4) and (4A)" substitute "and (4)";

(ii) omit "and the National Assembly for Wales";

(c) in subsection (2)(e), omit "or the National Assembly for Wales";

(d) in subsection (3), omit "or the National Assembly for Wales";

(e) omit subsection (4A);

(f) in subsection (5)—

(i) for ", VisitScotland and the National Assembly for Wales" substitute "and VisitScotland";

(ii) omit "or the National Assembly for Wales" after "the Boards" in both places it occurs;

(iii) omit "and the National Assembly for Wales" after "those Boards";

(g) in subsection (6)—

(i) omit "and the National Assembly for Wales";

(ii) for "the National Assembly for Wales" substitute "the Welsh Ministers";

(h) omit subsection (7A);

(i) omit subsection (8A);

(j) after subsection (9) insert—

"(10) See Part 2 of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00) for the corresponding functions of the Welsh Ministers in relation to promoting the development of tourism in Wales."

4 In section 3—

(a) in subsection (1), for "National Assembly for Wales", in both places it occurs, substitute "Welsh Ministers";

(b) in subsection (4), for "National Assembly for Wales" substitute "Welsh Ministers";

(c) in subsection (5), for "National Assembly for Wales" substitute "Welsh Ministers".

5 Omit section 4A.

6 In section 5(1)—

(a) for ", VisitScotland and the National Assembly for Wales" substitute "and VisitScotland";

(b) for ", Scotland and Wales" substitute "and Scotland".

7 In Schedule 2—

(a) in paragraph 1(1A)—

(i) for "National Assembly for Wales" substitute "Welsh Ministers";

(ii) after "grant" insert "under a scheme prepared in accordance with section 3";

(iii) for "the Assembly" substitute "them";

(b) in paragraph 2(1)—

(i) for "National Assembly for Wales" substitute "Welsh Ministers";

(ii) omit "or (as the case may be) the Assembly";

(iii) after "under this Act" insert "or (as the case may be) the Welsh Ministers under section 3";

(c) in paragraph 3—

(i) in sub-paragraph (1), omit "or the National Assembly for Wales";

(ii) after sub-paragraph (1) insert—

"(1A) Sub-paragraph (1) applies in relation to the Welsh Ministers and any person that has received a grant under a scheme prepared in accordance with section 3 from them as it applies in relation to a Tourist Board and the corresponding person."

SCHEDULE 2

(introduced by section 14(3))

AMENDMENTS RELATING TO THE REGISTER OF VISITOR ACCOMMODATION PROVIDERS

Amendments to the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5)

1 The Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 is amended as follows.

2 In section 3 (meaning of "visitor accommodation provider"), in subsection (5)(b) after "time" insert "(and regardless of whether there is a statement in the person's entry in the register under paragraph 2A(b) of Schedule 1 that the person is not providing or offering to provide visitor accommodation)".

3 In section 4 (register of visitor accommodation providers)—

(a) in subsection (4)—

(i) the words "the information contained in the register by virtue of Schedule 1" become paragraph (a);

(ii) after that paragraph insert—

"(b) the registration number specified under this Part for each VAP;

(c) the registration number specified under this Part in respect of each premises";

(b) in subsection (5)(b)(ii), for "at which the VAP provides or offers to provide visitor accommodation" substitute "in respect of which the VAP is registered";

(c) in subsection (7)—

(i) omit the "and" after paragraph (a);

(ii) after that paragraph insert—

"(aa) "licensed VAP" means a VAP that holds a visitor accommodation licence within the meaning of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00) (see section 14 of that Act), and".

4 In section 6 (applications to be registered)—

(a) in subsection (1) for "14" substitute "14A";

(b) in subsection (3)(b) after "registration" insert—

"specifying—

(i) a registration number for the VAP, and

(ii) a registration number in respect of each premises at which the VAP provides, or offers to provide, visitor accommodation".

5 In section 8 (power to register persons where no application has been made to WRA), after subsection (3) insert—

"(3A) If WRA registers a person under subsection (1), WRA must issue a notice to the person specifying—

(a) a registration number for the person, and

(b) a registration number in respect of each premises at which the person provides, or offers to provide, visitor accommodation."

6 In section 9 (duty to notify WRA of changes and inaccuracies)—

(a) in subsection (2)(b), after "register" insert "(including, where the VAP wishes to be registered in respect of different or additional premises or in relation to different or additional visitor accommodation, the information relating to the premises or accommodation required to be contained in the register under Schedule 1)";

(b) in subsection (3)(b)—

(i) the words "specifying the corrections made to the VAP's entry" become sub-paragraph (i);

(ii) after that sub-paragraph insert ", and

(ii) where the correction involves adding premises at which the VAP provides, or offers to provide, visitor accommodation to the VAP's entry in the register, specifying a registration number in respect of those premises,".

7 In section 11 (power to change the register where no notice has been given to WRA)—

(a) after subsection (3) insert—

"(3A) Where WRA makes a change under subsection (1) that involves adding premises at which the VAP provides, or offers to provide, visitor accommodation to the VAP's entry in the register, WRA must issue a notice to the VAP, as soon as practicable after making the change, specifying a registration number in respect of those premises.";

(b) in subsection (4), for the words from "the VAP gives notice to WRA" to the end substitute "the VAP—

(a) gives notice to WRA—

(i) if the entry is inaccurate, providing the information necessary to make the VAP's entry accurate, or

(ii) confirming that the entry is accurate, or

(b) applies to WRA to be removed from the register."

8 In section 14 (removal of a person from the register on application to WRA)—

(a) for subsection (1) substitute—

"(1) A person with an entry in the register may make an application to WRA for removal from the register (but see section 14A for circumstances in which a person must make an application to WRA for removal from the register).";

(b) omit subsection (5).

9 After section 14 insert—

"Requirement for certain persons to apply for removal from the register

14A Mandatory application for removal of a person from the register

(1) A person—

(a) that is not a licensed VAP, and

(b) does not fall within subsection (2),

must, before the 31st consecutive day on which that person has not provided or offered to provide visitor accommodation at any premises, make an application under section 14 for removal from the register.

(2) If a person—

(a) ceases to be a licensed VAP, and

(b) during the period of 31 days beginning with the day on which the person ceased to be a licensed VAP, does not—

(i) provide or offer to provide visitor accommodation at any premises;

(ii) become a licensed VAP,

the person must, before the end of that period, make an application under section 14 for removal from the register.

(3) For the purposes of this section—

(a) no account is to be taken of any day during—

(i) the period beginning with the day on which a person applies for a visitor accommodation licence under Part 3 of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00) ("the 2026 Act"), and ending on the day on which the application is determined;

(ii) the period beginning with the day on which a decision relating to the grant or revocation of a visitor accommodation licence becomes subject to an appeal under section 29 of the 2026 Act, and ending on the day the appeal is finally determined or withdrawn;

(b) the days immediately before and after a period mentioned in paragraph (a) are to be treated as consecutive.

(4) For the purposes of this Part, a person has not provided or offered to provide visitor accommodation at any premises if that person has not, in the course of trade or business, provided or offered to provide visitor accommodation at premises in Wales that the person occupies."

10 In section 15 (penalties where a person fails to apply for removal from the register), in subsection (1)—

(a) for "14(1)" substitute "14A(1) or (2)";

(b) in subsection (2), after "the person" insert "is not a licensed VAP and the person";

(c) after subsection (4) insert—

"(5) For the purposes of subsections (2) and (3), no account is to be taken of any day during—

(a) the period beginning with the day on which a person applies for a visitor accommodation licence under Part 3 of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 ("the 2026 Act"), and ending on the day on which the application is determined;

(b) the period beginning with the day on which a decision relating to the grant or revocation of a visitor accommodation licence becomes subject to an appeal under section 29 of the 2026 Act, and ending on the day the appeal is finally determined or withdrawn."

11 In section 16 (power to remove a person from the register when no application has been made)—

(a) in subsection (1) for "14(1)" substitute "14A";

(b) in subsection (4)(a), for "the person ceased to be a VAP" substitute "on which the person last provided or (if later) offered to provide visitor accommodation".

12 In section 21 (double jeopardy)—

(a) the words "has been convicted of an offence in relation to it" become paragraph (a);

(b) after that paragraph insert ", or

(b) in relation to it, pays the sum specified in a penalty notice given to the person under section 55 of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00) (and the notice is not subsequently withdrawn)."

13 In section 26 (powers to make further or different provision), in subsection (2), after paragraph (b) insert ";

(c) the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00),".

14 In section 38 (meaning of "accounting period": annual returns), in subsection (4)(b), for "do so" substitute "be a VAP".

15 In Schedule 1 (information to be included in the register of visitor accommodation providers)—

(a) in paragraph 2—

(i) for "at which the VAP provides, or offers to provide, visitor accommodation" substitute "in respect of which the VAP is registered";

(ii) in sub-paragraph (c), omit "that the VAP provides, or offers to provide,";

(iii) in sub-paragraph (d), for "the visitor accommodation provided in or at the premises" substitute "or at the visitor accommodation at the premises";

(b) after paragraph 2 insert—

"2A A licensed VAP's entry in the register—

(a) must contain the following information about the regulated visitor accommodation at the premises in respect of which the VAP is registered—

(i) the amount of regulated visitor accommodation at the premises;

(ii) the maximum number of people that can be accommodated in each regulated visitor accommodation at the premises;

(b) must contain a statement, relating to each premises in respect of which the VAP is registered (regardless of whether the visitor accommodation at the premises is regulated visitor accommodation), as to whether or not the VAP is for the time being providing or offering to provide the visitor accommodation at each of those premises."

(c) in paragraph 6 (interpretation), after sub-paragraph (b) insert—

"(c) "regulated visitor accommodation" means visitor accommodation falling within section 5(1)(a) of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00) (self-catering accommodation that is self-contained, and is in a building, or mobile home, vessel or other vehicle)."

Amendments to the Tax Collection and Management (Wales) Act 2016 (anaw 6)

16 (1) The Tax Collection and Management (Wales) Act 2016 is amended as follows.

(2) In section 12 (main functions of WRA), in subsection (2A), for "accommodation)" substitute "accommodation providers) and Part 4 of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00) (directory of visitor accommodation premises)".

(3) In section 172 (appealable decisions), in subsection (2)(m) omit "(see section 5 of that Act)".

(4) In section 187B (Crown application)—

(a) in subsection (1) after "Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (asc 5)" insert "and Part 4 of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00)";

(b) in subsection (2) after "Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025" insert "and Part 4 of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Act 2026 (asc 00)";

(c) in the heading—

(i) for "and the" substitute ", the";

(ii) at the end insert "providers and the directory of visitor accommodation".