

Regulatory Judgements

The Welsh Ministers have powers under Part 1 of the Housing Act 1996 to regulate registered social landlords.

Under section 33A(1) of the Housing Act 1996, the Welsh Ministers may set standards of performance (the regulatory standards) to be met by registered social landlords in connection with their functions relating to the provision of housing and matters relating to their governance and financial management.

Under section 33B (1) of the 1996 Act, the Welsh Ministers may issue guidance that relates to a matter addressed by a standard, and amplifies the standard. Section 33A of the 1996 Act requires the Welsh Ministers to consult various bodies before setting section 33A standards or issuing section 33B guidance.

[The Regulatory Framework for Housing Associations registered in Wales \(January 2022\)](#)

sets out the regulatory standards under section 33A of the 1996 Act. The requirement for the provision of information in connection with compliance with the regulatory standards (levels of performance) and the publication of regulatory judgements is made under section 35 of the 1996 Act.

Chapter 4A of Part 1 of the 1996 Act sets out enforcement powers available to the Welsh Ministers.

Regulatory judgements are designed to provide registered social landlords, their tenants, service users and other stakeholders with an understanding of how well they are performing, at a specific moment in time, in relation to:

- Governance and Service Delivery
- Financial Viability

Judgements must not be relied upon by any other party for any other purpose. Registered social landlords are responsible for the completeness and accuracy of information provided to the Regulator in their self evaluation and supporting evidence.

Judgement Statuses

Regulatory judgements are issued for Governance (including Service Delivery) and Financial Viability. The statuses are described in the same way in both cases, and are set out in the table below:

Judgement		
Compliant	Green	The association meets the regulatory standards and will receive routine regulatory oversight.
	Yellow	The association partially meets the regulatory standards and has the potential to be able to achieve the required improvements with increased regulatory oversight.
Non-compliant	Amber	The association partially meets the regulatory standards and is unlikely to be able to achieve the required improvements without regulatory intervention.
	Red	The association partially or wholly does not meet the regulatory standards and it is necessary for the regulator to take statutory action.

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