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STATUTORY INSTRUMENTS

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**2012 No. 2599 (C. 104)**

**HOUSING, ENGLAND**

The Localism Act 2011 (Commencement No. 2  
and Transitional Provisions) (England) Order 2012

Made - - - - 11th October 2012

The Secretary of State, in exercise of the power conferred by section 240(2) and (7) of the Localism Act 2011(1), makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Localism Act 2011 (Commencement No. 2 and Transitional Provisions) (England) Order 2012.

(2) In this Order—

“the Act” means the Localism Act 2011;

“the 1996 Act” means the Housing Act 1996(2); and

“commencement date” means 9th November 2012.

**Commencement of provisions regarding duties to homeless persons**

2. Sections 148 and 149 of the Act shall come into force for England only on the commencement date.

**Transitional provisions**

3. The amendments made by sections 148 and 149 of the Act do not apply to a case where—

(a) a person (“the applicant”) has applied to a local housing authority for accommodation, or for assistance in obtaining accommodation, under Part 7 of the 1996 Act; and

(b) a duty of the local housing authority to secure that accommodation is available for the applicant’s occupation under Part 7 of the 1996 Act(3) including on an interim or temporary basis has arisen and has not ceased,

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(1) 2011 c.20.

(2) 1996 c.52.

(3) Section 188 of the Housing Act 1996 has been amended by section 18 of and Schedule 1 to the Homelessness Act 2002 (2002 c.7). Section 193 of the Housing Act 1996 has been amended by sections 6, 7, 8 and 18 of and Schedules 1 and 2 to the Homelessness Act 2002, and section 314 of and Schedule 15 to the Housing and Regeneration Act 2008 (2008 c.17).

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before the commencement date.

Signed by the authority of the Secretary of State for Communities and Local Government

11th October 2012

*Mark Prisk*  
Minister of State  
Department for Communities and Local  
Government

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings sections 148 and 149, concerning duties to homeless people, fully into force in England on 9th November 2012.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 partially and Schedule 1 as to England	18th February 2012	2012/411
	4th April 2012	2012/1008
Sections 2 to 7 as to England	18th February 2012	2012/411
Section 8 as to England and Wales	3rd December 2011	2011/2896
	18th February 2012	2012/411
Sections 9 and 10 partially as to England and Wales	18th February 2012	2012/411
Sections 11 to 14 as to England and Wales	18th February 2012	2012/411
Sections 15 to 19 as to England and Wales	3rd December 2011	2011/2896
	15th January 2012	2012/57
Section 20 partially as to England and Wales	3rd December 2011	2011/2896
	15th January 2012	2012/57
Section 21 and Schedule 2 as to England and Wales	3rd December 2011	2011/2896
	15th January 2012	2012/57
	9th March 2012	2012/628
	4th May 2012	2012/1008
Section 22 and Schedule 3 as to England and Wales	15th January 2012	2012/57
	9th March 2012	2012/628
	4th May 2012	2012/1008
Section 24 as to England and Wales	15th January 2012	2012/57
Section 26 and Schedule 4 partially as to England and Wales	31st January 2012	2012/57
	1st April 2012	2012/628
	7th June 2012	2012/1463
	1st July 2012	2012/1463

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 27 to 29 partially as to England and Wales	7th June 2012	2012/1463
	1st July 2012	2012/1463
Section 30 partially as to England and Wales	31st January 2012	2012/57
Section 30 as to England and Wales so far as not yet in force	1st July 2012	2012/1463
Sections 31 and 33 partially as to England and Wales	7th June 2012	2012/1463
	1st July 2012	2012/1463
Section 35 partially as to England and Wales	7th June 2012	2012/1463
Section 36 partially as to England and Wales	15th January 2012	2012/57
Section 46 as to England	1st April 2012	2012/628
Sections 48 to 57 as to England, Wales, Scotland and Northern Ireland	31st May 2012	2012/1008
Section 68 and 69 as to England	3rd December 2011	2011/2896
	15th January 2012	2012/57
	1st April 2012	2012/628
Section 70 as to England and Wales	15th January 2012	2012/57
Sections 72 to 79 and Schedules 5 to 7 as to England and Wales	3rd December 2011	2011/2896
Sections 81 to 85 partially as to England and Wales	27th June 2012	2012/1463
Sections 87 to 102 as to England	20th September 2012	2012/2420
Sections 105 to 108 as to England	20th September 2012	2012/2420
Section 115 as to England and Wales	15th January 2012	2012/57
Sections 116 and 121 and Schedules 9 to 12 partially as to England and Wales	15th January 2012	2012/57
	6th April 2012	2012/628
	3rd August 2012	2012/2029
Sections 123 to 127 as to England and Wales	15th January 2012	2012/57
	6th April 2012	2012/628
Sections 128 to 142 and Schedule 13 as to England, Wales and Scotland	15th January 2012	2012/57
	1st April 2012	2012/628
Section 145 to 147 partially as to England and Wales	15th January 2012	2012/57
	7th June 2012	2012/1463
Sections 150 to 153 as to England and Wales	15th January 2012	2012/57
	18th June 2012	2012/1463
	15th January 2013	2012/1008

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 154 and 155 as to England and Wales	15th January 2012	2012/57
	1st April 2012	2012/628
Sections 156 to 161 and Schedule 14 as to England and Wales	15th January 2012	2012/57
	1st April 2012	2012/628
	4th April 2012	2012/1008
Section 162 partially as to England and Wales	1st April 2012	2012/628
Sections 163 and 164	1st April 2012	2012/628
Section 165 partially as to England and Wales	15th January 2012	2012/57
Section 165 as to England and Wales so far as not yet in force	1st April 2012	2012/628
Section 166 as to England and Wales	1st April 2012	2012/628
Section 176 as to England and Wales	15th January 2012	2012/57
Sections 178 and 179 and Schedules 16 and 17 as to England and Wales	15th January 2012	2012/57
	1st April 2012	2012/628
Section 184 as to England and Wales	6th April 2012	2012/628
Section 185 as to England and Wales	1st April 2012	2012/628
Sections 186 to 195 as to England and Wales	15th January 2012	2012/57
	31st March 2012	2012/628
	1st April 2012	2012/628
	3rd May 2012	2012/1008
Section 197 partially as to England and Wales	15th January 2012	2012/57
Sections 223 to 231 and Schedule 23 as to England and Wales	15th January 2012	2012/57
	3rd May 2012	2012/1008
Section 232 as to England and Wales	6th April 2012	2012/628
Section 233 and Schedule 24 as to England and Wales	30th March 2012	2012/628
Section 237 partially and Parts 1, 2 (partially), 3 to 5, 7, 9 to 13, 18 to 21, 23, 26, 27, and 30 to 34 of Schedule 25 as to England and Wales	15th January 2012	2012/57
	31 January 2012	2012/57
	18th February 2012	2012/411
	9th March 2012	2012/628
	31st March 2012	2012/628
	1st April 2012	2012/628
	4th April 2012	2012/1008
	6th April 2012	2012/628

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
	3rd May 2012	2012/1008
	7th June 2012	2012/1463
	3rd August 2012	2012/2029