

2014 No. 2590 (C. 113)

**ENVIRONMENTAL PROTECTION,
ENGLAND AND WALES**

HOUSING, ENGLAND AND WALES

HOUSING, ENGLAND

POLICE, ENGLAND AND WALES

**The Anti-social Behaviour, Crime and Policing Act 2014
(Commencement No. 7, Saving and Transitional Provisions)
Order 2014**

Made - - - - *24th September 2014*

The Secretary of State, in exercise of the powers conferred by section 185(1) and (7) of the Anti-social Behaviour, Crime and Policing Act 2014^(a), makes the following Order.

Citation and interpretation

1.—(1) This Order may be cited as the Anti-social Behaviour, Crime and Policing Act 2014 (Commencement No. 7, Saving and Transitional Provisions) Order 2014.

(2) In this Order “the 2014 Act” means the Anti-social Behaviour, Crime and Policing Act 2014.

Provisions coming into force on 20th October 2014 in relation to England

2. The following provisions of the 2014 Act come into force on 20th October 2014 in relation to England—

- (a) section 94 (new ground for serious offences or breach of prohibitions etc);
- (b) section 95 (notice requirements for new ground);
- (c) section 96 (review requirements for new ground), insofar as it is not already in force;
- (d) section 97 (corresponding new ground and notice requirements for assured tenancies);
- (e) section 100(2) and (3) (restrictions where new possession proceedings in progress etc);
- (f) section 181(1) (amendments), insofar as it relates to the provisions of Schedule 11 specified in sub-paragraph (h);
- (g) Schedule 3 (Schedule to be inserted as Schedule 2A to the Housing Act 1985);

- (h) in Schedule 11 (minor and consequential amendments), paragraphs 2, 7 to 10, 13, 14, 15(4), 16, 18, 19, 47(4) and 48.

Provisions coming into force on 20th October 2014

- 3.** The following provisions of the 2014 Act come into force on 20th October 2014—
- (a) Part 2 (criminal behaviour orders);
 - (b) Part 3 (dispersal powers);
 - (c) Part 4 (community protection);
 - (d) Part 6 (local involvement and accountability) to the extent not already in force;
 - (e) section 181(1) (amendments), insofar as it relates to the provisions of Schedule 11 specified in sub-paragraph (g);
 - (f) Schedule 4 (ASB case reviews: supplementary provision), to the extent not already in force;
 - (g) in Schedule 11 (minor and consequential amendments), the following paragraphs—
 - (i) paragraphs 3 to 5;
 - (ii) paragraph 21;
 - (iii) paragraph 24(a), insofar as it relates to the repeal of the following provisions of the Crime and Disorder Act 1998**(a)**—
 - (aa) in section 1(1A), the reference to “1C, 1CA”;
 - (bb) in section 1A(2)(a), the reference to “1CA”;
 - (cc) section 1C;
 - (dd) section 1CA;
 - (ee) section 1D(1)(c) and (d) and (6);
 - (ff) section 1D(2) insofar as it relates to a case falling within subsection (1)(c) or (d);
 - (gg) section 1D(4)(c) insofar as it relates to a case falling within subsection (1)(c) or (d);
 - (hh) section 1I(1)(b);
 - (ii) section 1J(1)(c);
 - (jj) section 1K(2);
 - (iv) paragraphs 25 and 26;
 - (v) paragraph 30;
 - (vi) paragraphs 32 to 45;
 - (vii) in paragraph 50, the repeals relating to—
 - (aa) the Licensing Act 2003**(b)**;
 - (bb) sections 14(3)(a) and 56(1) of the Anti-social Behaviour Act 2003**(c)**;
 - (cc) paragraph 59 of Schedule 26 to the Criminal Justice Act 2003**(d)**;
 - (dd) paragraph 36 of Schedule 7 to the Serious Organised Crime and Police Act 2005**(e)**;
 - (ee) the Clean Neighbourhoods and Environment Act 2005**(f)**;

(a) 1998 c. 37.
(b) 2003 c. 17.
(c) 2003 c. 38.
(d) 2003 c. 44.
(e) 2005 c. 15.
(f) 2005 c. 16.

- (ff) paragraph 7 of Schedule 1 to the Drugs Act 2005(a);
- (gg) sections 8(7) and 26 of the Violent Crime Reduction Act 2006(b);
- (hh) section 118 of, and Schedule 20 to, the Criminal Justice and Immigration Act 2008(c);
- (ii) the Policing and Crime Act 2009(d);
- (jj) the Police Reform and Social Responsibility Act 2011(e);
- (kk) the Localism Act 2011(f).

Saving provision in relation to the coming into force of Part 2

4. Notwithstanding the commencement of paragraphs 25 and 26 of Schedule 11 to the 2014 Act, section 8 of the Crime and Disorder Act 1998 as in force immediately before the commencement of those provisions continues to apply to an anti-social behaviour order within the meaning of section 1 of that Act.

Transitional provision in relation to the coming into force of sections 94 and 97 in England

5. In relation to the coming into force of sections 94 and 97 of the 2014 Act (absolute grounds for possession) in England, condition 5 in section 84A(7) of the Housing Act 1985(g) and in Ground 7A of Part 1 of Schedule 2 to the Housing Act 1988(h) is only met if the offence under—

- (a) section 80(4) of the Environmental Protection Act 1990(i) (breach of abatement notice in relation to statutory nuisance), or
- (b) section 82(8) of that Act (breach of court order to abate statutory nuisance etc.),

is committed by the tenant, or a person residing in or visiting the dwelling-house, on or after 20th October 2014.

Home Office
24th September 2014

Norman Baker
Minister of State

(a) 2005 c. 17.
 (b) 2006 c. 38.
 (c) 2008 c. 4.
 (d) 2009 c. 26.
 (e) 2011 c. 13.
 (f) 2011 c. 20.
 (g) 1985 c. 68. Section 84A is prospectively inserted by section 94(1) of the 2014 Act.
 (h) 1988 c. 50. Ground 7A of Part 1 of Schedule 2 is prospectively inserted by section 97(1) of the 2014 Act.
 (i) 1990 c. 43.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force various provisions of the Anti-social Behaviour, Crime and Policing Act 2014 (“the 2014 Act”).

Article 2 brings into force provisions relating to the recovering of possession of dwelling houses on anti-social behaviour grounds, in relation to England, as well as minor and consequential amendments relating to provisions mentioned in articles 2 and 3.

Article 3 brings into force provisions relating to criminal behaviour orders, dispersal powers, community protection and local involvement and accountability.

Article 4 makes saving provision in relation to the coming into force of Part 2 of the Act to allow for parenting orders to be made where a criminal behaviour order has been made.

Article 5 makes transitional provision in relation to the coming into force of sections 94 and 97 of the 2014 Act in England to ensure that condition 5 in the new absolute grounds for possession is only met where the offence under the Environmental Protection Act 1990 is committed on or after 20th October 2014.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force to their fullest extent (unless indicated otherwise) by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 96 (partially)	17th September 2014	2014/2454
Section 98 (England only)	13th May 2014	2014/949
Section 98 (Wales only)	13th May 2014	2014/1241 (W. 129)
Section 99	13th May 2014	2014/949
Section 100(1) (England only)	13th May 2014	2014/949
Section 100(1) (Wales only)	13th May 2014	2014/1241 (W. 129)
Section 101	13th May 2014	2014/949
Section 104 (partially)	13th May 2014	2014/949
Section 105	13th May 2014	2014/949
Section 106	13th May 2014	2014/949
Section 107	13th May 2014	2014/949
Section 108	14th July 2014	2014/949
Section 109	14th July 2014	2014/949
Section 110	14th July 2014	2014/949
Section 111	14th July 2014	2014/949
Section 112	13th May 2014	2014/949
Section 116 to 118	1st September 2014	2014/2125
Section 119	13th May 2014	2014/949
Section 120	16th June 2014	2014/949
Section 121	16th June 2014	2014/949
Section 123 to 130	13th May 2014	2014/949
Section 131 (England and Wales and Northern Ireland only)	1st September 2014	2014/2125
Section 132	1st September 2014	2014/2125
Section 133 (partially)	1st September 2014	2014/2125
Section 134	1st September 2014	2014/2125
Section 140	21st July 2014	2014/1916
Section 141	13th May 2014	2014/949
Section 142	13th May 2014	2014/949
Section 143	20th March 2014	2014/630
Section 144 to 146	13th May 2014	2014/949
Section 147	14th March 2014	2014/630
Section 148 (partially)	13th May 2014	2014/949
Section 149	2nd June 2014	2014/1226
Section 152	13th May 2014	2014/949
Section 153	13th May 2014	2014/949
Section 155 to 159	21st July 2014	2014/1916
Section 161 to 167	21st July 2014	2014/1916
Section 169 to 173	21st July 2014	2014/1916
Section 176	13th May 2014	2014/949
Section 178	13th May 2014	2014/949
Section 179	1st June 2014	2014/949
Section 181(1) (partially)	20th March 2014	2014/630
Section 181(1) (partially) ^(*)	13th May 2014	2014/949
Section 181(1) (partially) (Wales only)	13th May 2014	2014/1241 (W.

Section 181(1) (partially)	1st September 2014	129) 2014/2125
Schedule 4 (partially)	13th May 2014	2014/949
Schedule 8	14th March 2014	2014/630
Schedule 9 (partially)	13th May 2014	2014/949
Schedule 9 (partially)	31st July 2014	2014/1916
Schedule 10	13th May 2014	2014/949
Schedule 11 (partially)	20th March 2014	2014/630
Schedule 11 (partially) ^(*)	13th May 2014	2014/949
Schedule 11 (partially) (Wales only)	13th May 2014	2014/1241 (W. 129)
Schedule 11 (partially)	1st September 2014	2014/2125

^(*) Certain paragraphs of Schedule 11, and section 181(1) insofar as it relates to those paragraphs, were brought into force by S.I. 2014/949 on 13th May 2014 for England only. Other paragraphs of Schedule 11, and section 181(1) insofar as it relates to those paragraphs, were brought into force by S.I. 2014/949 on 13th May 2014 for the whole of the United Kingdom.

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