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WELSH STATUTORY INSTRUMENTS

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**2004 No. 3238 (W.281) (C.144)**

**LAND, WALES**  
**ANTI-SOCIAL BEHAVIOUR, WALES**

The Anti-social Behaviour Act 2003  
(Commencement No. 3) (Wales) Order 2004

Made - - - - 8 December 2004

The National Assembly for Wales, in exercise of the powers conferred upon it by section 93(3)(b) of the Anti-social Behaviour Act 2003 (“the Act”)(1), hereby makes the following Order:

**Citation and application**

1.—(1) This Order may be cited as the Anti-social Behaviour Act 2003 (Commencement No. 3) (Wales) Order 2004.

(2) This Order applies to complaints about hedges(2) situated in Wales.

**Provisions to be commenced**

2. Part 8 of the Act (High Hedges) comes into force on 31 December 2004.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3).

8 December 2004

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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(1) 2003 c. 38.

(2) See section 66(6) of the Act for the meaning of “high hedge”.

(3) 1998 c. 38.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This Order brings into force, on 31 December 2004, the provisions of Part 8 of the Anti-social Behaviour Act 2003 (“the Act”) in relation to hedges situated in Wales.

Part 8 of the Act gives local authorities the power to deal with complaints about high hedges which are having an adverse effect on a neighbour’s enjoyment of his or her property. It also gives the National Assembly for Wales (“the National Assembly”) the power to make regulations, in relation to hedges situated in Wales, to set the maximum level of fee chargeable by a local authority for dealing with an application under the Act and to set out the procedures to be followed where an appeal is made to the National Assembly under section 71 of the Act.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The provisions of the Act referred to in Table 1 below have been brought into force in relation to both Wales and England by Commencement Orders made before the date of this Order. The provisions of the Act referred to in Table 2 below have been brought into force in relation to Wales by Commencement Orders made before the date of this Order.

**TABLE 1**

<i>Section(s) or Schedule(s)</i>	<i>Date of commencement</i>	<i>S.I. Number</i>
1 to 11	20 January 2004	<a href="#">2003/3300</a>
18	27 February 2004	<a href="#">2003/3300</a>
23	27 February 2004	<a href="#">2003/3300</a>
25 to 29	27 February 2004	<a href="#">2003/3300</a>
30 to 38	20 January 2004	<a href="#">2003/3300</a>
39(1) and (2)	20 January 2004	<a href="#">2003/3300</a>
39(3) (in part)	20 January 2004	<a href="#">2003/3300</a>
39(3) (remainder)	30 April 2004	<a href="#">2003/3300</a>
39(4) to (6)	20 January 2004	<a href="#">2003/3300</a>
46	31 March 2004	<a href="#">2004/690</a>
53	20 January 2004	<a href="#">2003/3300</a>
54	31 March 2004	<a href="#">2004/690</a>
57 to 59	20 January 2004	<a href="#">2003/3300</a>
60 to 64	27 February 2004	<a href="#">2003/3300</a>
85(1) to (3)	20 January 2004	<a href="#">2003/3300</a>

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<i>Section(s) or Schedule(s)</i>	<i>Date of commencement</i>	<i>S.I. Number</i>
85(4) (in part)	20 January 2004	2003/3300
85(4) (remainder)	31 March 2004	2004/690
85(5)	31 March 2004	2004/690
85(6) (in part)	31 March 2004	2004/690
85(7)	20 January 2004	2003/3300
85(8)	27 February 2004	2003/3300
85(9) to (11)	31 March 2004	2004/690
86(1) and (2)	31 March 2004	2004/690
86(3) (in part)	20 January 2004	2003/3300
86(3) (remainder)	31 March 2004	2004/690
86(4) to (6)	20 January 2004	2003/3300
87	20 January 2004	2003/3300
89(1) to (4)	20 January 2004	2003/3300
89(5)	31 March 2004	2004/690
89(6) and (7)	20 January 2004	2003/3300
90	30 July 2004	2004/1502
92 (in part)	20 January 2004	2003/3300
92 (in part)	31 March 2004	2004/690
Schedule 3 (in part)	20 January 2004	2003/3300
Schedule 3 (in part)	31 March 2004	2004/690

**TABLE 2**

<i>Section(s) or Schedule(s)</i>	<i>Date of commencement</i>	<i>S.I. Number</i>
13 (with savings)	30 September 2004	2004/2557 (W.228) (C.107)
14	30 September 2004	2004/2557 (W.228) (C.107)
16 (with savings)	30 September 2004	2004/2557 (W.228) (C.107)
17	30 September 2004	2004/2557 (W.228) (C.107)
40 to 45	31 March 2004	2004/999 (W.105) (C.43)
47 to 52	31 March 2004	2004/999 (W.105) (C.43)
55 and 56	31 March 2004	2004/999 (W.105) (C.43)
91 (with savings)	30 September 2004	2004/2557 (W.228) (C.107)
Schedule 1 (in part)	30 September 2004	2004/2557 (W.228) (C.107)