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STATUTORY INSTRUMENTS

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**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<sup>(1)</sup>, 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<sup>(2)</sup>—
      - (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<sup>(3)</sup>;
      - (bb) sections 14(3)(a) and 56(1) of the Anti-social Behaviour Act 2003<sup>(4)</sup>;

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(2) 1998 c. 37.  
 (3) 2003 c. 17.  
 (4) 2003 c. 38.

- (cc) paragraph 59 of Schedule 26 to the Criminal Justice Act 2003<sup>(5)</sup>;
- (dd) paragraph 36 of Schedule 7 to the Serious Organised Crime and Police Act 2005<sup>(6)</sup>;
- (ee) the Clean Neighbourhoods and Environment Act 2005<sup>(7)</sup>;
- (ff) paragraph 7 of Schedule 1 to the Drugs Act 2005<sup>(8)</sup>;
- (gg) sections 8(7) and 26 of the Violent Crime Reduction Act 2006<sup>(9)</sup>;
- (hh) section 118 of, and Schedule 20 to, the Criminal Justice and Immigration Act 2008<sup>(10)</sup>;
- (ii) the Policing and Crime Act 2009<sup>(11)</sup>;
- (jj) the Police Reform and Social Responsibility Act 2011<sup>(12)</sup>;
- (kk) the Localism Act 2011<sup>(13)</sup>.

#### **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<sup>(14)</sup> and in Ground 7A of Part 1 of Schedule 2 to the Housing Act 1988<sup>(15)</sup> is only met if the offence under—

- (a) section 80(4) of the Environmental Protection Act 1990<sup>(16)</sup> (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.

*Norman Baker*  
Minister of State  
Home Office

24th September 2014

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<sup>(5)</sup> 2003 c. 44.

<sup>(6)</sup> 2005 c. 15.

<sup>(7)</sup> 2005 c. 16.

<sup>(8)</sup> 2005 c. 17.

<sup>(9)</sup> 2006 c. 38.

<sup>(10)</sup> 2008 c. 4.

<sup>(11)</sup> 2009 c. 26.

<sup>(12)</sup> 2011 c. 13.

<sup>(13)</sup> 2011 c. 20.

<sup>(14)</sup> 1985 c. 68. Section 84A is prospectively inserted by section 94(1) of the 2014 Act.

<sup>(15)</sup> 1988 c. 50. Ground 7A of Part 1 of Schedule 2 is prospectively inserted by section 97(1) of the 2014 Act.

<sup>(16)</sup> 1990 c. 43.

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**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 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	<a href="#">2014/2454</a>
Section 98 (England only)	13th May 2014	<a href="#">2014/949</a>
Section 98 (Wales only)	13th May 2014	<a href="#">2014/1241 (W. 129)</a>
Section 99	13th May 2014	<a href="#">2014/949</a>
Section 100(1) (England only)	13th May 2014	<a href="#">2014/949</a>
Section 100(1) (Wales only)	13th May 2014	<a href="#">2014/1241 (W. 129)</a>
Section 101	13th May 2014	<a href="#">2014/949</a>
Section 104 (partially)	13th May 2014	<a href="#">2014/949</a>
Section 105	13th May 2014	<a href="#">2014/949</a>
Section 106	13th May 2014	<a href="#">2014/949</a>
Section 107	13th May 2014	<a href="#">2014/949</a>
Section 108	14th July 2014	<a href="#">2014/949</a>

(\*) 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.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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

(\*) 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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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 181(1) (partially) <sup>(*)</sup>	13th May 2014	2014/949
Section 181(1) (partially) (Wales only)	13th May 2014	2014/1241 (W. 129)
Section 181(1) (partially)	1st September 2014	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) <sup>(*)</sup>	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.