## **EXPLANATORY NOTES**

## ANTI-SOCIAL BEHAVIOUR ACT 2003

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**BACKGROUND AND SUMMARY** 

TERRITORIAL EXTENT

TERRITORIAL APPLICATION: WALES

#### **COMMENTARY ON SECTIONS**

#### PART 1: PREMISES WHERE DRUGS USED UNLAWFULLY

Section 1: Closure Notice

Section 2: Closure Order

Section 3: Closure order: enforcement

Section 4: Closure of premises: offences

Section 5: Extension and discharge of closure order

Section 6: Appeals

Section 7: Access to other premises

Section 8: Reimbursement of costs

Section 9: Exemption from liability for certain damages

Section 10: Compensation

# **PART 2: HOUSING**

Section 12: Anti-social behaviour: landlords' policies and procedures

Section 13: Injunctions against anti-social behaviour on application of certain social landlords

Section 14: Security of tenure: anti-social behaviour

Section 15: Demoted assured shorthold tenancies

Section 16: Proceedings for possession: anti-social behaviour

#### Section 17: Devolution: Wales

#### **PART 3: PARENTAL RESPONSIBILITIES**

- Section 18: Parenting Orders under the 1998 Act
- Section 19: Parenting contracts in cases of exclusion from school or truancy
- Section 20: Parenting orders in cases of exclusion from school
- Section 21: Parenting orders: supplemental
- Section 22: Parenting orders: appeals
- Section 23: Penalty notices for parents in cases of truancy
- Section 25: Parenting contracts in respect of criminal conduct and anti-social behaviour
- Sections 26 29: Parenting orders in respect of criminal conduct and anti-social behaviour

#### PART 4: DISPERSAL OF GROUPS ETC.

- Section 30: Dispersal of groups and removal of person under 16 to their place of residence
- Section 31: Authorisations: supplemental
- Section 32: Powers under section 30: supplemental
- Section 33: Powers of community support officers
- Section 34:Code of practice
- Section 35: Authorisations by British Transport Police

#### **PART 5: FIREARMS**

- Section 37: Possession of air weapon or imitation firearm in public place
- Section 38: Air weapons: age limits
- Section 39: Prohibition of certain types of weapon

# **PART 6: THE ENVIRONMENT**

## **Noise**

- Sections 40: Closure of noisy premises
- Sections 41: Closure of noisy premises: supplemental
- Section 42: Dealing with noise at night

## Penalty Notices for graffiti and fly-posting

Section 43: Penalty notices for graffiti or fly-posting

#### These notes refer to the Anti-Social Behaviour Act 2003 (c.38)

Section 44: Relevant offences

Section 45: Penalty receipts

Section 46: Powers of police civilians

Section 47: Interpretation

# Removal of graffiti

Section 48: Graffiti removal notices

Section 49: Recovery of expenditure

Section 50: Guidance

Section 51: Appeals

Section 52: Exemption from liability in relation to graffiti removal notices

#### **Advertisements**

Section 53: Display of advertisements in contravention of regulations

#### **Aerosol Paints**

Section 54: Sale of aerosol paint to children

#### Waste and litter

Section 55: Unlawfully deposited waste etc

Section 56: Extension of litter authority powers to take remedial action

#### PART 7: PUBLIC ORDER AND TRESPASS

Section 57: Public assemblies

Section 58: Raves

Section 59: Aggravated trespass

Section 60: Power to remove trespassers: alternative site available

Section 61: Failure to comply with direction: offences

Section 62: Failure to comply with direction: seizure

Section 63 and 64: Common land: modifications and interpretation

## **PART 8: HIGH HEDGES**

Section 65: Complaints to which this Part applies

Section 66: High Hedges

Section 67: Domestic Property

## **Complaints procedure**

Section 68: Procedure for dealing with complaints

Section 69: Remedial Notices

Section 70: Withdrawal or relaxation of requirements of remedial notices

## **Appeals**

Section 71: Appeals against remedial notices and other decisions of relevant authorities

Section 72: Appeals procedure

Section 73: Determination or withdrawal of appeals

## **Powers of entry**

Section 74: Powers of entry for the purpose of complaints or appeals

## Enforcement powers etc.

Section 75: Offences

Section 76: Power to require occupier to permit action to be taken by owner

Section 77: Action by relevant authority

Section 78: Offences committed by bodies corporate

## **Supplementary**

Section 79: Service of documents

Section 80: Documents in electronic form

Section 81: Power to make further provision about documents in electronic form

Section 83: Power to amend sections 65 and 66

Section 84: Crown application

### **PART 9: SANCTIONS ETC.**

Section 85: Anti-social behaviour orders

Section 86: Certain orders made on conviction of offences

Section 87: Penalty Notices for disorderly behaviour by young persons

Section 88: Curfew orders and supervision orders

Section 89: Extension of powers of community support officers etc.

Section 90: Report by local authority in certain cases where person remanded on bail

# These notes refer to the Anti-Social Behaviour Act 2003 (c.38)

Section 91: Proceedings under section 222 of the Local Government Act 1972: power of arrest attached to injunction

# **PART 10: GENERAL**

Section 96: Extent

# **SCHEDULES**

Schedule 1: Demoted Tenancies

Schedule 2: Curfew orders and supervision orders

## **COMMENCEMENT**

# HANSARD REFERENCES