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STATUTORY INSTRUMENTS

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**2017 No. 1052 (C. 98)**

**HOUSING, ENGLAND**

The Housing and Planning Act 2016  
(Commencement No. 6) Regulations 2017

Made - - - - 1st November 2017

The Secretary of State, in exercise of the powers conferred by section 216(3) and (4) of the Housing and Planning Act 2016<sup>(1)</sup>, makes the following Regulations.

**Citation and interpretation**

1. These Regulations may be cited as the Housing and Planning Act 2016 (Commencement No. 6) Regulations 2017.

**Provisions coming into force on 3rd November 2017**

2. The following provisions of the Housing and Planning Act 2016 come into force on 3rd November 2017—

- (a) section 14(3) and (4) (“banning order” and “banning order offence”) for the purpose only of making regulations to specify the description of an offence that is a banning order offence;
- (b) section 23(8) (financial penalty for breach of banning order);
- (c) section 33 (information to be included in the database);
- (d) paragraph 5(3) of Schedule 3 and section 26 (management orders following banning orders), so far as it relates to that paragraph;
- (e) paragraph 9 of Schedule 3 and section 26 (management orders following banning orders), so far as it relates to that paragraph.

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**Status:** This is the original version (as it was originally made).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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Signed by authority of the Secretary of State for Communities and Local Government

1st November 2017

*Alok Sharma*  
Minister of State  
Department for Communities and Local  
Government

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## EXPLANATORY NOTE

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

These Regulations bring into force certain provisions in Part 2 of the Housing and Planning Act 2016 (c. 22) (“the Act”).

Regulation 2(a) brings into force section 14(3) and (4) of the Act for the purpose of making regulations which enable the Secretary of State to specify the description of an offence that is a banning order offence.

Regulation 2(b) brings into force section 23(8) of the Act which enables the Secretary of State to make provision by regulations about how local housing authorities are to deal with financial penalties recovered for breach of a banning order.

Regulation 2(c) brings into force section 33 of the Act which enables the Secretary of State to make provision by regulations about the information that must be included in a person’s entry in the database of rogue landlords and property agents.

Regulation 2(d) brings into force paragraph 5(3) of Schedule 3 and section 26 (management orders following banning orders) so far as it relates to that paragraph. That paragraph enables the Secretary of State to, by regulations, make provision about how local authorities are to deal with any surplus if an interim management order is made under section 102(7A) of the Housing Act 2004 (c. 34) (“the 2004 Act”).

Regulation 2(e) brings into force paragraph 9 of Schedule 3 and section 26 (management orders following banning orders) so far as it relates to that paragraph. That paragraph enables the Secretary of State to, by regulations, make provision about how local authorities are to deal with any surplus if a final management order is made under section 113(3A) or (6A) of the 2004 Act.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 9 to 11	31st October 2016	2016/733
Section 12	13th July 2016	2016/733
Section 40 to 46 (partially)	6th April 2017	2017/281
Section 47(1) and (2)	6th April 2017	2017/281
Section 47(3)	10th March 2017	2017/281
Section 48 (partially)	6th April 2017	2017/281
Section 49 to 52	6th April 2017	2017/281
Section 53	6th April 2017	2017/281
Sections 54 to 56	6th April 2017	2017/281
Sections 64 and 65	26th May 2016	2016/609
Section 66	13th July 2016	2016/733

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 67 and 68	26th May 2016	2016/609
Sections 80 to 91	1st October 2016	2016/956
Section 92	6th April 2017	2017/75
Sections 93 and 94	3rd February 2017	2017/75
Section 102(2) to (6)	3rd February 2017	2017/75
Section 126 (partially)	10th March 2017	2017/281
Section 126	6th April 2017	2017/281
Sections 128 and 129	6th April 2017	2017/281
Section 131	6th April 2017	2017/281
Section 132	1st October 2016	2016/733
Sections 141 and 142	1st October 2016	2016/733
Sections 143 and 144	13th July 2016	2016/733
Sections 145(1) to 145(4)	1st October 2016	2016/733
Section 145(5)	26th May 2016	2016/609
Sections 146 to 148	1st October 2016	2016/733
Sections 150(4) and 150(5)	13th July 2016	2016/733
Sections 152(2) to 152(4)	13th July 2016	2016/733
Section 154	13th July 2016	2016/733
Section 156	1st October 2016	2016/733
Section 160	6th April 2017	2017/281
Sections 169 and 170	13th July 2016	2016/733
Section 171	1st October 2016	2016/733
Sections 172 to 179	13th July 2016	2016/733
Section 182	13th July 2016	2016/733
Section 183 (partially)	1st October 2016	2016/956
Section 183 (partially)	3rd February 2017	2017/75
Section 183	6th April 2017	2017/281
Sections 184 to 189	3rd February 2017	2017/75
Section 190	13th July 2016	2016/733
Section 191	3rd February 2017	2017/75
Section 196(3) (partially)	6th April 2017	2017/281
Section 199(1)	3rd February 2017	2017/75
Section 199(2) (partially)	3rd February 2017	2017/75
Section 200	3rd February 2017	2017/75

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 201 to 206	13th July 2016	2016/733
Schedule 4	6th April 2016	2017/75
Schedule 9 – paragraph 7	10th March 2017	2017/281
Schedule 9	6th April 2017	2017/281
Schedule 11	1st October 2016	2016/733
Schedule 12 (excluding paragraph 27)	13th July 2016	2016/733
Schedule 14	13th July 2016	2016/733
Schedule 15 – paragraphs 1, 2(1), 2(2), 3(1), 3(2) (partially)	1st October 2016	2016/956
Schedule 15 – paragraphs 1 to 7 (partially)	3rd February 2017	2017/75
Schedule 15 – paragraph 8	1st October 2016	2016/956
Schedule 15 – paragraphs 1 to 7	6th April 2017	2017/281
Schedule 16	13th July 2016	2016/733
Schedule 17	3rd February 2017	2017/75
Schedule 18– paragraphs 1 to 9	3rd February 2017	2017/75
Schedule 19	13th July 2016	2016/733