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**Changes to legislation:** Housing Act 2004, Cross Heading: No rights of appeal where banning order involved is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 5

#### LICENCES UNDER PARTS 2 AND 3: PROCEDURE AND APPEALS

#### PART 3

#### APPEALS AGAINST LICENCE DECISIONS

*[<sup>F1</sup>No rights of appeal where banning order involved*

#### Textual Amendments

**F1** Sch. 5 para. 32A and cross-heading inserted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 2 para. 12\(4\)](#); S.I. 2018/393, reg. 2(b)

- 32A (1) The right of appeal under paragraph 31(1)(a) does not apply where a licence is refused because of section 66(3A) or 89(3A) (person with banning order not a fit and proper person).
- (2) The right of appeal under paragraph 32(1)(a) does not apply in relation to the revocation of a licence required by section 70A or 93A (duty to revoke licence in banning order cases).]

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)