
WELSH STATUTORY INSTRUMENTS

2014 No. 2830 (W. 286) (C. 130)

HOUSING, WALES

The Anti-social Behaviour, Crime and Policing Act 2014 (Commencement No. 2 and Transitional Provisions) (Wales) Order 2014

Made - - - - 20 October 2014

The Welsh Ministers make the following Order in exercise of the powers conferred by section 185(3) and (8) of the Anti-social Behaviour, Crime and Policing Act 2014(1).

Title and interpretation

1.—(1) The title of this Order is the Anti-social Behaviour, Crime and Policing Act 2014 (Commencement No. 2 and Transitional Provisions) (Wales) Order 2014.

(2) In this Order, “the 2014 Act” (“*Deddf 2014*”) means the Anti-social Behaviour, Crime and Policing Act 2014.

Commencement and application

2. The following provisions of the 2014 Act will come into force in relation to Wales on 21 October 2014—

- (a) section 94 (new ground for serious offences or breach of prohibitions etc) and Schedule 3 (Schedule to be inserted as Schedule 2A to the Housing Act 1985);
- (b) section 95 (notice requirements for new ground);
- (c) section 96 (review requirements for new ground);
- (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 in Schedule 11 specified in paragraph (g) below; and
- (g) in Schedule 11 (minor and consequential amendments)—
 - (i) paragraph 2;
 - (ii) paragraph 7;

- (iii) paragraph 8;
- (iv) paragraph 9;
- (v) paragraph 10;
- (vi) paragraph 13;
- (vii) paragraph 14;
- (viii) paragraph 15(4)(a) and (c);
- (ix) paragraph 16;
- (x) paragraph 18; and
- (xi) paragraph 19.

Transitional provision in relation to the coming into force of sections 94 and 97 in Wales

3. In relation to the coming into force of sections 94 and 97 (absolute grounds for possession) in Wales, condition 5 in section 84A(7) of the Housing Act 1985⁽²⁾ and condition 5 in Ground 7A of Part 1 of Schedule 2 to the Housing Act 1988⁽³⁾ is only met if the offence under—

- (a) section 80(4) of the Environmental Protection Act 1990⁽⁴⁾ (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 20 October 2014.

20 October 2014

Lesley Griffiths
Minister for Communities and Tackling Poverty,
one of the Welsh Ministers

(2) 1985 c. 68. Section 84A is prospectively inserted by section 94(1) of the Anti-social Behaviour, Crime and Policing Act 2014.
(3) 1988 c. 50. Ground 7A of Part 1 of Schedule 2 is prospectively inserted by section 97(1) of the Anti-social Behaviour, Crime and Policing Act 2014.
(4) 1990 c. 43.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, in Wales, various provisions of the Anti-social Behaviour, Crime and Policing Act 2014 (“the 2014 Act”).

Article 2 brings into force, in relation to Wales, provisions relating to the absolute ground for possession for anti-social behaviour (sections 94 – 97, 100(2) and (3), and Schedule 3 of the 2014 Act) and associated consequential amendments, as well as consequential amendments in relation to Parts 1, 2 and 4 of the 2014 Act.

Article 3 makes transitional provision in relation to the coming into force of sections 94 and 97 of the 2014 Act 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 20 October 2014.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2014 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. Number</i>
Section 96 (partially) (England only)	17 September 2014	2014/2454
Section 98 (England only)	13 May 2014	2014/949
Section 98 (Wales only)	13 May 2014	2014/1241 (W.129)
Section 99	13 May 2014	2014/949
Section 100(1) (England only)	13 May 2014	2014/949
Section 100(1) (Wales only)	13 May 2014	2014/1241 (W.129)
Section 101	13 May 2014	2014/949
Section 104 (partially)	13 May 2014	2014/949
Sections 105 to 107	13 May 2014	2014/949
Sections 108 to 111	14 July 2014	2014/949
Section 112	13 May 2014	2014/949
Sections 116 to 118	1 September 2014	2014/2125
Section 119	13 May 2014	2014/949
Sections 120 and 121	16 June 2014	2014/949
Sections 123 to 130	13 May 2014	2014/949

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Sections 131 and 132	1 September 2014	2014/2125
Section 133 (partially)	1 September 2014	2014/2125
Section 134	1 September 2014	2014/2125
Section 136	1 October 2014	2014/2454
Sections 138 and 139	1 October 2014	2014/2454
Section 140	21 July 2014	2014/1916
Sections 141 and 142	13 May 2014	2014/949
Section 143	20 March 2014	2014/630
Sections 144 to 146	13 May 2014	2014/949
Section 147	14 March 2014	2014/630
Section 148 (partially)	13 May 2014	2014/949
	31 July 2014	2014/1916
	1 April 2015	2014/1916
Section 149	2 June 2014	2014/1226
Sections 152 and 153	13 May 2014	2014/949
Sections 155 to 159	21 July 2014	2014/1916
Sections 161 to 167	21 July 2014	2014/1916
Sections 169 to 173	21 July 2014	2014/1916
Section 174	6 October 2014	2014/2454
Section 176	13 May 2014	2014/949
Section 178	13 May 2014	2014/949
Section 179	1 June 2014	2014/949
Section 181(1) (partially)	20 March 2014	2014/630
	13 May 2014	2014/949
	21 July 2014	2014/1916
	1 September 2014	2014/2125
	1 October 2014	2014/2454
Section 181(1) (partially) (England only)	13 May 2014	2014/949
Section 181(1) (partially) (Wales only)	13 May 2014	2014/1241 (W.129)
Schedule 4 (partially)	13 May 2014	2014/949
Schedule 8	14 March 2014	2014/630
Schedule 9 (partially)	13 May 2014	2014/949

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
	31 July 2014	2014/1916
	1 April 2015	2014/1916
Schedule 10	13 May 2014	2014/949
Schedule 11 (partially)	20 March 2014	2014/630
	13 May 2014	2014/949
	21 July 2014	2014/1916
	1 September 2014	2014/2125
	1 October 2014	2014/2454
Schedule 11 (partially) (England only)	13 May 2014	2014/949
Schedule 11 (partially) (Wales only)	13 May 2014	2014/1241 (W.129)