

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 2 of the Housing and Planning Act 2016 (c. 22) (“the Act”) makes provision for the imposition of banning orders. Section 15 of the Act confers power on local housing authorities in England to apply to the First-tier Tribunal for a banning order against a person who has been convicted of a banning order offence. Section 16 confers power on the First-tier Tribunal to make a banning order against that person if that person was a residential landlord or property agent at the time the offence was committed. Section 14 defines “banning order” and “banning order offence” for the purposes of Part 2 of the Act (rogue landlords and property agents in England). Section 14(3) confers power on the Secretary of State to make regulations specifying the description of what constitutes a “banning order offence”. Regulation 3 and the Schedule to these Regulations specify those offences.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.