



Housing Act 1996

1996 CHAPTER 52

PART V

CONDUCT OF TENANTS

CHAPTER III

INJUNCTIONS AGAINST ANTI-SOCIAL BEHAVIOUR

155 Arrest and remand.

- (1) If a power of arrest is attached to certain provisions of an injunction by virtue of [F¹section 153C(3) or 153D(4)], a constable may arrest without warrant a person whom he has reasonable cause for suspecting to be in breach of any such provision or otherwise in contempt of court in relation to a breach of any such provision.

A constable shall after making any such arrest forthwith inform the person on whose application the injunction was granted.

- (2) Where a person is arrested under subsection (1)—
- (a) he shall be brought before the relevant judge within the period of 24 hours beginning at the time of his arrest, and
 - (b) if the matter is not then disposed of forthwith, the judge may remand him.

In reckoning for the purposes of this subsection any period of 24 hours no account shall be taken of Christmas Day, Good Friday or any Sunday.

- (3) If the court has granted an injunction in circumstances such that a power of arrest could have been attached under [F²section 153C(3) or 153D(4)] but—
- (a) has not attached a power of arrest under the section in question to any provisions of the injunction, or
 - (b) has attached that power only to certain provisions of the injunction,

Status: Point in time view as at 28/02/2005. This version of this provision has been superseded.

Changes to legislation: Housing Act 1996, Section 155 is up to date with all changes known to be in force on or before 15 June 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)

then, if at any time the applicant considers that the respondent has failed to comply with the injunction, he may apply to the relevant judge for the issue of a warrant for the arrest of the respondent.

- (4) The relevant judge shall not issue a warrant on an application under subsection (3) unless—
- (a) the application is substantiated on oath, and
 - (b) he has reasonable grounds for believing that the respondent has failed to comply with the injunction.
- (5) If a person is brought before a court by virtue of a warrant issued under subsection (4) and the court does not dispose of the matter forthwith, the court may remand him.
- (6) Schedule 15 (which makes provision corresponding to that applying in magistrates' courts in civil cases under sections 128 and 129 of the ^{M1}Magistrates' Courts Act 1980) applies in relation to the powers of the High Court and a county court to remand a person under this section.
- (7) If a person remanded under this section is granted bail by virtue of subsection (6), he may be required by the relevant judge to comply, before release on bail or later, with such requirements as appear to the judge to be necessary to secure that he does not interfere with witnesses or otherwise obstruct the course of justice.

Textual Amendments

- F1** Words in s. 155(1) substituted (30.6.2004 for E., 30.9.2004 for W.) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), **ss. 13(5)(a)**, 93; [S.I. 2004/1502](#), art. 2(a)(ii); [S.I. 2004/2557](#), art. 2(a)(i) (with Sch. para. 1)
- F2** Words in s. 155(3) substituted (30.6.2004 for E., 30.9.2004 for W.) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), **ss. 13(5)(b)**, 93; [S.I. 2004/1502](#), art. 2(a)(ii); [S.I. 2004/2557](#), art. 2(a)(i) (with Sch. para. 1)

Commencement Information

- I1** S. 155 wholly in force at 15.10.2001; s. 155 not in force at Royal Assent see s. 232(1)-(3); s. 155(1)(2) (except for (2)(b)) in force at 1.9.1997 by [S.I. 1997/1851](#), **art. 2**; s. 155 in force insofar as not already in force at 15.10.2001 by [S.I. 2001/3164](#), **art. 2**

Marginal Citations

- M1** 1980 c. 43.

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