
Changes to legislation: Housing and Planning Act 2016, Paragraph 12 is up to date with all changes known to be in force on or before 27 July 2023. 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](#)

SCHEDULES

SCHEDULE 2

BANNED PERSON MAY NOT HOLD HMO LICENCE ETC

- 12 (1) Schedule 5 (licences under Parts 2 and 3: procedure and appeals) is amended as follows.
- (2) After paragraph 11 insert—
- “11A The requirements of paragraph 5 do not apply where the refusal to grant the licence was because of section 66(3C) or 89(3C) (person with banning order not a fit and proper person).”
- (3) After paragraph 25 insert—
- “25A The requirements of paragraph 22 do not apply if the revocation is required by section 70A or 93A (duty to revoke licence in banning order cases).”
- (4) After paragraph 32 insert—

“No rights of appeal where banning order involved

- 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).”

Commencement Information

II Sch. 2 para. 12 in force at 6.4.2018 by [S.I. 2018/393](#), [reg. 2\(b\)](#)

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

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

- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)