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WELSH STATUTORY INSTRUMENTS

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**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<sup>(2)</sup> and condition 5 in Ground 7A of Part 1 of Schedule 2 to the Housing Act 1988<sup>(3)</sup> is only met if the offence under—

- (a) section 80(4) of the Environmental Protection Act 1990<sup>(4)</sup> (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

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(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.

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## 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	<a href="#">2014/2454</a>
Section 98 (England only)	13 May 2014	<a href="#">2014/949</a>
Section 98 (Wales only)	13 May 2014	<a href="#">2014/1241 (W.129)</a>
Section 99	13 May 2014	<a href="#">2014/949</a>
Section 100(1) (England only)	13 May 2014	<a href="#">2014/949</a>
Section 100(1) (Wales only)	13 May 2014	<a href="#">2014/1241 (W.129)</a>
Section 101	13 May 2014	<a href="#">2014/949</a>
Section 104 (partially)	13 May 2014	<a href="#">2014/949</a>
Sections 105 to 107	13 May 2014	<a href="#">2014/949</a>
Sections 108 to 111	14 July 2014	<a href="#">2014/949</a>
Section 112	13 May 2014	<a href="#">2014/949</a>
Sections 116 to 118	1 September 2014	<a href="#">2014/2125</a>
Section 119	13 May 2014	<a href="#">2014/949</a>
Sections 120 and 121	16 June 2014	<a href="#">2014/949</a>
Sections 123 to 130	13 May 2014	<a href="#">2014/949</a>

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

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	31 July 2014	<a href="#">2014/1916</a>
	1 April 2015	<a href="#">2014/1916</a>
Schedule 10	13 May 2014	<a href="#">2014/949</a>
Schedule 11 (partially)	20 March 2014	<a href="#">2014/630</a>
	13 May 2014	<a href="#">2014/949</a>
	21 July 2014	<a href="#">2014/1916</a>
	1 September 2014	<a href="#">2014/2125</a>
	1 October 2014	<a href="#">2014/2454</a>
Schedule 11 (partially) (England only)	13 May 2014	<a href="#">2014/949</a>
Schedule 11 (partially) (Wales only)	13 May 2014	<a href="#">2014/1241 (W.129)</a>