
STATUTORY INSTRUMENTS

2014 No. 949

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

Citation and interpretation

1.—(1) This Order may be cited as the Anti-social Behaviour, Crime and Policing Act 2014 (Commencement No. 2, Transitional and Transitory Provisions) Order 2014.

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

Provisions coming into force on 13th May 2014 in relation to England only

2. The following provisions of the 2014 Act come into force on 13th May 2014 in relation to England only—

- (a) section 98 (conduct causing nuisance to landlord etc);
- (b) section 100(1) (restrictions where new possession proceedings in progress etc);
- (c) section 181(1) (amendments), insofar as it relates to the provisions of Schedule 11 specified in paragraph (d) below;
- (d) in Schedule 11 (minor and consequential amendments)—
 - (i) paragraph 12;
 - (ii) paragraph 20.

Other provisions coming into force on 13th May 2014

3. The provisions of the 2014 Act listed in the Schedule to this Order come into force on 13th May 2014.

Provision coming into force on 1st June 2014

4. Section 179 of the 2014 Act (surcharges: imprisonment in default and remission of fines) comes into force on 1st June 2014.

Provisions coming into force on 16th June 2014

5. The following provisions of the 2014 Act come into force on 16th June 2014—
- (a) section 120 (offence of breaching forced marriage protection order);
 - (b) section 121 (offence of forced marriage: England and Wales).

Provisions coming into force on 14th July 2014

6. The following provisions of the 2014 Act come into force on 14th July 2014—
- (a) section 108 (offence of possessing firearm for supply etc);

- (b) section 109 (functions of Scottish Ministers under Firearms Acts);
- (c) section 110 (possession of firearms by persons previously convicted of crime);
- (d) section 111 (increased penalty for improper importation of firearms etc).

Transitional provision in relation to the coming into force of section 99

7. In relation to the coming into force of section 99 (offences connected with riot), the court may only make an order for possession of a dwelling-house on Ground 2ZA of Part 1 of Schedule 2 to the Housing Act 1985(1) or Ground 14ZA of Part 2 of Schedule 2 to the Housing Act 1988(2) where the indictable offence mentioned in that Ground was committed on or after 13th May 2014.

Transitional provision in relation to the coming into force of section 104(5)

8. In relation to the coming into force of section 104(5), until section 104(4) is commenced, section 104(5) is to be read as if the word “other” were omitted.

Transitional provision in relation to the coming into force of section 106

9. Nothing in paragraphs (d)(iii) and (e) of section 106(2) of the 2014 Act (keeping dogs under proper control) shall apply in relation to an offence which was committed before the commencement of that section.

Transitional provision in relation to the coming into force of section 120

10. The commencement of section 120 of the 2014 Act does not apply where a power of arrest under section 63H of the Family Law Act 1996(3) was attached to a forced marriage protection order before 16th June 2014, unless the power of arrest no longer has effect.

Transitory provisions: recovery of possession of dwelling-houses

11.—(1) This article makes transitory modifications to the Housing Act 1985 and the Housing Act 1988 as they apply in England, with effect from 13th May 2014.

(2) Until sections 94 to 97 of the 2014 Act (absolute grounds for possession) come into force in England, the Housing Act 1985 is to be read as if—

- (a) in section 138 (duty of landlord to convey freehold or grant lease)(4)—
 - (i) in subsection (2A)(a) the words “or section 84A possession order” were omitted;
 - (ii) in subsection (2B)(a) the words “or an operative section 84A possession order” were omitted; and
 - (iii) in subsection (2C) the definitions of “operative section 84A possession order” and “section 84A possession order” were omitted;

(1) 1985 c. 68. Ground 2ZA is prospectively inserted into Part 1 of Schedule 2 to the Housing Act 1985 by section 99(1) of the 2014 Act.

(2) 1988 c. 50. Ground 14ZA is prospectively inserted into Part 2 of Schedule 2 to the Housing Act 1988 by section 99(2) of the 2014 Act.

(3) 1996 c. 27. Section 63H was added by section 1 of the Forced Marriage (Civil Protection) Act 2007 (c. 20) and is prospectively repealed by section 120 of the 2014 Act.

(4) Subsections (2A) to (2C) were inserted by section 193(1) of the Housing Act 2004 (c. 34) and are prospectively amended by section 100(1) of the 2014 Act.

(b) in Schedule 1(5) (tenancies which are not secure tenancies), in paragraph 4ZA(12) (family intervention tenancies) for the definition of “relevant possession order” there were substituted—

““relevant possession order” means a possession order under section 84 that is made on ground 2, 2ZA or 2A of Part 1 of Schedule 2;”.

(3) Until sections 94 to 97 of the 2014 Act (absolute grounds for possession) come into force in England, in Schedule 1 to the Housing Act 1988(6) (tenancies which cannot be assured tenancies), paragraph 12ZA(3)(a)(i) (family intervention tenancies) is to be read as if the words “ground 7A of Part 1 of Schedule 2 or” were omitted.

Home Office
8th April 2014

Damian Green
Minister of State

(5) Paragraph 4ZA was inserted by section 297(1) of the Housing and Regeneration Act 2008 (c. 17) and is prospectively amended by section 181 of, and paragraph 12 of Schedule 11 to, the 2014 Act.

(6) Paragraph 12ZA was inserted by section 297(2) of the Housing and Regeneration Act 2008 and is prospectively amended by section 181 of, and paragraph 20 of Schedule 11 to, the 2014 Act.