

*These notes refer to the Anti-Social Behaviour Act 2003  
(c.38) which received Royal Assent on 20 November 2003*

# ANTI-SOCIAL BEHAVIOUR ACT 2003

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: Housing**

##### ***Section 16: Proceedings for possession: anti-social behaviour***

49. This section introduces new provisions relating to the court's exercise of discretion in possession proceedings. *Subsection (1)* introduces a new section 85A into the Housing Act 1985. *Subsection (2)* introduces new section 9A into the Housing Act 1988.
50. The effect of these changes is that when a court is considering whether it is reasonable to grant a possession order against a secure or assured tenant under one of the nuisance grounds for possession, the court must give particular consideration to the actual or likely effect which the anti-social behaviour has had or could have on others.