

ANTI-SOCIAL BEHAVIOUR ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Premises Where Drugs Used Unlawfully

Section 5: Extension and discharge of closure order

18. This section allows the police to apply for an extension of the period for which the order has effect up to a maximum period of 6 months (including the period for which the original order(s) had effect). Such an application must be authorised by a superintendent (or police officer of higher rank), who must:
 - have reasonable grounds for believing that the extension of the order is necessary for the purpose of preventing the occurrence of disorder or serious nuisance to the public; and
 - be satisfied that the local authority has been consulted about the intention to make the application.
19. *Subsection (6)* allows a constable, the local authority, persons on whom the closure notice was served under section 1 and any other person with an interest in the closed premises to apply for the order to be discharged at any time. *Subsection (9)* sets out requirements relating to the service of notice on persons summoned to appear before the court under this section.