

Status: Point in time view as at 01/07/2013.

Changes to legislation: Housing Act 2004, Part 2 is up to date with all changes known to be in force on or before 29 July 2024. 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)

SCHEDULES

SCHEDULE 2

PROCEDURE AND APPEALS RELATING TO PROHIBITION ORDERS

PART 2

SERVICE OF NOTICES RELATING TO REVOCATION OR VARIATION OF PROHIBITION ORDERS

Notice of revocation or variation

- 3 (1) This paragraph applies where the local housing authority decide to revoke or vary a prohibition order.
- (2) The authority must serve a notice under this paragraph on each of the persons on whom they would be required under Part 1 of this Schedule to serve copies of a prohibition order in respect of the specified premises.
- (3) The notices required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.
- (4) Paragraph 1(4) applies in relation to the service of notices on occupiers in accordance with sub-paragraphs (2) and (3) as it applies in relation to the service on them of copies of a prohibition order in accordance with paragraph 1(2)(a) and (3).

Commencement Information

- II** Sch. 2 wholly in force at 16.6.2006; Sch. 2 not in force at Royal Assent see s. 270(4)(5); Sch. 2 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 2 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

- 4 A notice under paragraph 3 must set out—
- (a) the authority's decision to revoke or vary the order;
- (b) the reasons for the decision and the date on which it was made;
- (c) if the decision is to vary the order—
- (i) the right of appeal against the decision under Part 3 of this Schedule; and
- (ii) the period within which an appeal may be made (see paragraph 10(2)).

Commencement Information

- II** Sch. 2 wholly in force at 16.6.2006; Sch. 2 not in force at Royal Assent see s. 270(4)(5); Sch. 2 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 2 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

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Notice of refusal to revoke or vary order

- 5 (1) This paragraph applies where the local housing authority refuse to revoke or vary a prohibition order.
- (2) The authority must serve a notice under this paragraph on each of the persons on whom they would be required under Part 1 of this Schedule to serve copies of a prohibition order in respect of the specified premises.
- (3) The notices required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.
- (4) Paragraph 1(4) applies in relation to the service of notices on occupiers in accordance with sub-paragraphs (2) and (3) as it applies in relation to the service on them of copies of a prohibition order in accordance with paragraph 1(2)(a) and (3).

Commencement Information

- I3** Sch. 2 wholly in force at 16.6.2006; Sch. 2 not in force at Royal Assent see s. 270(4)(5); Sch. 2 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 2 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

- 6 A notice under paragraph 5 must set out—
- (a) the authority's decision not to revoke or vary the notice;
 - (b) the reasons for the decision and the date on which it was made;
 - (c) the right of appeal against the decision under Part 3 of this Schedule; and
 - (d) the period within which an appeal may be made (see paragraph 10(2)).

Commencement Information

- I4** Sch. 2 wholly in force at 16.6.2006; Sch. 2 not in force at Royal Assent see s. 270(4)(5); Sch. 2 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 2 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

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