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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 30th June 2004, in relation to England, Part 2 (housing) and section 91 of the Anti-social Behaviour Act 2003 and the repeals in Schedule 3 to that Act related to Part 2.

In Part 2—

Section 12 introduces a new duty on social landlords to prepare and publish policies on anti-social behaviour, and to make them available to the public.

Section 13 replaces sections 152 and 153 of the Housing Act 1996 with new provisions allowing local authorities, registered social landlords and housing action trusts to apply for injunctions to prohibit anti-social behaviour which relates to or affects their management of their stock.

Sections 14 and 15 allow social landlords to apply for demotion orders in cases of anti-social behaviour. The demotion order ends the tenant's existing secure or assured tenancy and replaces it with a new form of demoted tenancy with less security of tenure.

Section 16 amends the court's discretion when considering claims for possession of a dwelling house let on an assured or secure tenancy brought on the grounds of anti-social behaviour to ensure that sufficient weight is given to the effects of any anti-social behaviour.

Section 17 ensures that all functions of the Secretary of State arising from the amendments to the Housing Acts mentioned are, so far as exercisable in relation to Wales, to be carried out by the National Assembly for Wales.

Schedule 1 makes provision in respect of demoted tenancies where the landlord is a local housing authority or a housing action trust.

Section 91 of the Anti-social Behaviour Act 2003 allows a local authority to request a power of arrest to be attached to any provision of an injunction obtained under section 222 of the Local Government Act 1972 where the injunction is to prohibit anti-social behaviour.

This Order also brings into force on 30th July, in England and Wales, section 90 of the Anti-social Behaviour Act 2003, which provides that a court remanding a young person aged 10 or 11 on bail may require a local authority to provide a report as to where the person would be likely to be placed or maintained, if he was remanded to local authority accommodation.

The Schedule to this Order contains savings in respect of the amendments to the Housing Acts of 1985, 1988 and 1996 commenced by this Order.