



# Estate Agents Act 1979

## 1979 CHAPTER 38

### *Information, entry and inspection*

#### **9 Information for the Director**

- (1) The Director may, for the purpose of assisting him—
  - (a) to determine whether to make an order under section 3 or section 4 above, and
  - (b) in the exercise of any of his functions under sections 5, 6 and 8 above and 13 and 17 below,by notice require any person to furnish to him such information as may be specified or described in the notice or to produce to him any documents so specified or described.
- (2) A notice under this section—
  - (a) may specify the way in which and the time within which it is to be complied with and, in the case of a notice requiring the production of documents, the facilities to be afforded for making extracts, or taking copies of, the documents ; and
  - (b) may be varied or revoked by a subsequent notice.
- (3) Nothing in this section shall be taken to require a person who has acted as counsel or solicitor for any person to disclose any privileged communication made by or to him in that capacity.
- (4) A person who—
  - (a) refuses or wilfully neglects to comply with a notice under this section, or
  - (b) in furnishing any information in compliance with such a notice, makes any statement which he knows to be false in a material particular or recklessly makes any statement which is false in a material particular, or
  - (c) with intent to deceive, produces in compliance with such a notice a document which is false in a material particular,

shall be liable on conviction on indictment or on summary conviction to a fine which, on summary conviction, shall not exceed the statutory maximum.

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*Status: This is the original version (as it was originally enacted).*

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(5) In section 131 of the Fair Trading Act 1973 (which provides for the Director to be notified by courts of convictions and judgments which may be relevant to his functions under Part III of that Act) after the words " this Act" there shall be inserted the words " or under the Estate Agents Act 1979 ".

(6) It shall be the duty of—

- (a) the Equal Opportunities Commission,
- (b) the Equal Opportunities Commission for Northern Ireland, and
- (c) the Commission for Racial Equality,

to furnish to the Director such information relating to any finding, notice, injunction or order falling within paragraph 2 of Schedule 1 to this Act as is in their possession and appears to them to be relevant to the functions of the Director under this Act.