
STATUTORY INSTRUMENTS

1981 No. 1519

ESTATE AGENTS

The Estate Agents (Entry and Inspection) Regulations 1981

Made - - - - 26th October 1981
Laid before Parliament 2nd November 1981
Coming into Operation 3rd May 1982

The Secretary of State, in exercise of the powers conferred on him by section 11(6) of the Estate Agents Act 1979 and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Estate Agents (Entry and Inspection) Regulations 1981 and shall come into operation on 3rd May 1982.

2. Unless he is authorised by the Director, an officer of a local weights and measures authority is not to be taken to be duly authorised for the purposes of section 11 of the Estate Agents Act 1979 (which confers powers of entry and inspection in connection with the enforcement of that Act on duly authorised officers of enforcement authorities) so far as concerns the exercise of any power under paragraphs (b), (c) and (d) of sub-section (1) of that section in relation to any book or document relating to the business carried on by the Bank of England or a bank which is a bank within the meaning of section 9 of the Bankers' Books Evidence Act 1879:

Provided that where a customer on whose behalf a bank maintains an account has consented in writing to the exercise of any power under paragraph (b) of the said sub-section (1) with respect to any such book or document as aforesaid in so far as it contains information about the affairs of that customer then, in relation to any suspected offence to which the said paragraph (b) applied before that consent was given, this Regulation shall not apply to the exercise of that power by any such officer as aforesaid with respect to that book or document so far as concerns that information.

26th October 1981

Sally Oppenheim
Minister of State
Department of Trade

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EXPLANATORY NOTE

These Regulations provide that an officer of a local weights and measures authority shall not in the cases specified in the Regulations exercise the powers conferred by section 11 of the Estate Agents Act 1979 in relation to the production, copying, seizure and detention of books and documents relating to business carried on by banks, and to the breaking open of containers for the purpose of seizing such books and documents, unless he has the authority of the Director General of Fair Trading or the consent of the customer.