



Consumers, Estate Agents and Redress Act 2007

2007 CHAPTER 17

PART 2

COMPLAINTS HANDLING AND REDRESS SCHEMES

Standards for handling complaints

43 Standards for handling complaints

- (1) A regulator must by regulations prescribe standards for the handling by its regulated providers of consumer complaints made to them.
- (2) The regulations may prescribe standards in relation to all consumer complaints, or consumer complaints of a kind specified in the regulations.
- (3) In particular, the regulations may specify a kind of consumer complaint by reference to the subject-matter of a complaint, or the description of person making a complaint.
- (4) Regulations under this section may be made only with the consent of the Secretary of State.
- (5) A regulator must make arrangements for securing that regulations made by it under this section are available to the public, by whatever means it considers appropriate.
- (6) If a date is prescribed in relation to a regulator for the purposes of this subsection, from that date subsection (1) has effect in relation to that regulator as if, in that subsection, for “must” there were substituted “may”.
- (7) In subsection (6) “prescribed” means prescribed by order made by the Secretary of State under this section.
- (8) Before prescribing a date in relation to a regulator for the purposes of subsection (6), the Secretary of State must consult—

Status: This is the original version (as it was originally enacted).

- (a) the regulator,
- (b) the Council, and
- (c) such other persons as the Secretary of State considers appropriate.

(9) This section does not apply to the Water Services Regulation Authority.

44 Requirements for making regulations under section 43

- (1) Before making regulations under section 43 a regulator must—
- (a) arrange for such research as it considers appropriate with a view to discovering the views of a representative sample of persons likely to be affected, and consider the results,
 - (b) publish a notice of its proposals (a “proposals notice”) in such manner as the regulator considers appropriate for bringing it to the attention of those likely to be affected by the proposals,
 - (c) consider any representations duly made, and
 - (d) consult persons or bodies appearing to it to be representative of persons likely to be affected by the proposals.
- (2) The proposals notice must—
- (a) set out the standards the regulator proposes to prescribe,
 - (b) give the reasons why the regulator proposes to prescribe those standards,
 - (c) explain how the standards will be enforced, and
 - (d) specify a time (not being earlier than the end of the period of 30 days beginning with the day on which the notice is published) before which representations may be made.
- (3) The requirements of subsection (1) may be satisfied by action taken before the commencement of this section or the passing of this Act.

45 Information with respect to compliance with complaints handling standards

- (1) This section applies in relation to standards prescribed by a regulator by regulations under section 43 in relation to its regulated providers (or some of them).
- (2) The Council must publish such statistical information as it considers appropriate relating to the levels of compliance with the standards which those regulated providers have achieved.
- (3) That information must be published in such form and manner, and with such frequency, as the Council thinks appropriate.
- (4) Schedule 5 makes further provision with respect to information about compliance with complaints handling standards.

46 Supply of information to consumers

- (1) A regulator may make regulations requiring each of its regulated providers in relation to which standards are prescribed under section 43 to give to the provider’s relevant consumers such information as may be specified or described in the regulations about—
- (a) the standards, and

- (b) the levels of compliance with those standards achieved by the provider.
- (2) Regulations under this section may include provision specifying the form and manner in which, and the frequency with which, information is to be given.