

SCHEDULES

SCHEDULE 7

Section 63

MINOR AND CONSEQUENTIAL AMENDMENTS

Estate Agents Act 1979 (c. 38)

- 1 In section 3 of the Estate Agents Act 1979 (prohibition orders), in subsection (3) for “paragraphs (c) and (d)” substitute “paragraphs (ba) to (d)”.
- 2 In section 6 of that Act (revocation and variation of orders)—
 - (a) in subsection (4) in paragraph (b), for the words from “again fail to comply” to the end of the paragraph substitute “engage in further conduct as mentioned in subsection (1A)(b) or (1B)(b) of that section or engage again in the practice specified in the order, as the case may be.”; and
 - (b) omit subsection (7).
- 3 In section 30(2) of that Act (orders and regulations to which duty to consult applies), after “19” insert “, 21A”.

Gas Act 1986 (c. 44)

- 4 The Gas Act 1986 is amended as follows.
- 5 In section 4AB (guidance on social and environmental matters), for subsection (3)(b) substitute—
 - “(b) the Council;”.
- 6 In section 28 (orders for securing compliance with certain provisions), in subsection (6) for first “and” substitute “or”.

Electricity Act 1989 (c. 29)

- 7 The Electricity Act 1989 is amended as follows.
- 8 In section 3B (guidance on social and environmental matters), for subsection (3)(b) substitute—
 - “(b) the Council;”.
- 9 In section 25 (orders for securing compliance), in subsection (6) for first “and” substitute “or”.

Water Industry Act 1991 (c. 56)

- 10 In Schedule 15 to the Water Industry Act 1991 (disclosure of information)—
 - (a) in Part 1 (persons in respect of whose functions disclosure may be made), at the end insert—
 - “The National Consumer Council.”, and

Status: This is the original version (as it was originally enacted).

- (b) in Part 2 (enactments etc in respect of which disclosure may be made), after the entry for the Railways Act 2005 insert—

“The Consumers, Estate Agents and Redress Act 2007.”

Taxation of Chargeable Gains Act 1992 (c. 12)

- 11 In section 35(3)(d) of the Taxation of Chargeable Gains Act 1992 (no gain no loss disposals), after sub-paragraph (xvi) insert—

“(xvii) paragraph 9 of Schedule 4 to the Consumers, Estate Agents and Redress Act 2007.”

Postal Services Act 2000 (c. 26)

- 12 The Postal Services Act 2000 is amended as follows.

- 13 In section 44 (review and information), in subsection (5) for “section 58(1)” substitute “section 24(1) of the Consumers, Estate Agents and Redress Act 2007”.

- 14 In section 61 (forward work programme)—

- (a) in subsection (1) omit—
- (i) “and the Council”, and
 - (ii) “each” (in the second place),
- (b) in subsection (2)(b) omit “or the Council”,
- (c) in subsection (3) omit “or the Council”, and
- (d) in subsection (5)—
- (i) in paragraph (a) omit “or (as the case may be) the Commission”, and
 - (ii) in paragraph (b) omit “or (as the case may be) the Council”.

- 15 In section 126 (index of defined expressions), in the entry for “The Council”, in the second column for “Section 2(1)” substitute “Section 125(1)”.

- 16 (1) Schedule 7 (disclosure of information) is amended as follows.

- (2) In paragraph 1, after sub-paragraph (1)(b) insert “, and
- (c) it is not information within section 29(3) of the Consumers, Estate Agents and Redress Act 2007 (application of disclosure regime in Part 9 of the Enterprise Act 2002 to information obtained by the Council).”

- (3) In paragraph 3—

- (a) for sub-paragraph (2)(u) substitute—
 - “(u) the National Consumer Council.”, and
- (b) at the end of sub-paragraph (3) of that paragraph insert—
 - “(rr) the Consumers, Estate Agents and Redress Act 2007.”

- (4) In paragraph 5(1)—

- (a) after paragraph (b) insert “or”, and
- (b) omit paragraph (d) and the “or” immediately preceding it.

- 17 In Schedule 8 (amendments of enactments), in paragraph 10 for “that Schedule to that Act” substitute “Schedule 2 to the Parliamentary Commissioner Act 1967”.

Utilities Act 2000 (c. 27)

- 18 The Utilities Act 2000 is amended as follows.
- 19 In section 4 (forward work programmes)—
- (a) in subsection (1) omit—
 - (i) “and the Council”, and
 - (ii) “each” (in the second place),
 - (b) in subsection (3) omit “or the Council”,
 - (c) in subsection (4) omit “or the Council”,
 - (d) in subsection (5) omit “or the Council”, and
 - (e) omit subsection (7).
- 20 In section 105 (general restrictions on disclosure of information)—
- (a) in subsection (5) omit “and” immediately preceding paragraph (l) and after that paragraph insert “, and
 - (m) the National Consumer Council.”,
 - (b) in subsection (6), at the end insert—
 - “(x) the Consumers, Estate Agents and Redress Act 2007.”,
 - (c) in subsection (8) omit—
 - (i) in paragraph (a) “33DA or”, and “42AA or”, and
 - (ii) in paragraph (c) “, the Council”, and
 - (d) after subsection (11) insert—
 - “(11A) Nothing in this section applies to information within section 29(3) of the Consumers, Estate Agents and Redress Act 2007 (application of disclosure regime in Part 9 of the Enterprise Act 2002 to information obtained by the Council).”

Warm Homes and Energy Conservation Act 2000 (c. 31)

- 21 In section 2 (strategy relating to fuel poverty) in subsection (4)(c) for “Gas and Electricity Consumer Council” substitute “National Consumer Council”.

Criminal Justice and Police Act 2001 (c. 16)

- 22 In the Criminal Justice and Police Act 2001 —
- (a) in section 66 (general interpretation of Part 2), in subsection (4)(e) for “section 11(1) of the Estate Agents Act 1979” substitute “section 11(1) to (1C) of the Estate Agents Act 1979”, and
 - (b) in Part 1 of Schedule 1 (powers of seizure to which section 50 applies), in paragraph 24 for “section 11(1)(c) of the Estate Agents Act 1979” substitute “section 11(1B) of the Estate Agents Act 1979”.

Housing Act 2004 (c. 34)

- 23 (1) The Housing Act 2004 is amended as follows.
- (2) In section 166 (enforcement authorities), in subsection (2) for the words from “to enforce” to the end of the subsection substitute “to enforce the duties under sections 155 to 159 and 167(4) in their area.”

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

- (3) In section 168 (penalty charge notices), in subsection (1) for the words from “a breach of” to the end of the subsection substitute “a breach of any duty under sections 155 to 159 and 167(4), give a penalty charge notice to that person.”