



Estate Agents Act 1979

CHAPTER 38

ESTATE AGENTS ACT 1979

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Status: Point in time view as at 31/03/2014.

Changes to legislation: *Estate Agents Act 1979 is up to date with all changes known to be in force on or before 24 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- 35 Scotland.
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SCHEDULES**SCHEDULE 1 — Provisions Supplementary to Section 3(1)***Spent convictions*

- 1 A person is not to be treated for the purposes...

Discrimination

- 2 A person shall be deemed to have committed discrimination for...
- 3 After the expiry of the period of five years beginning...
- 4 For the purposes of paragraphs 2 and 3 “discrimination” and...
- 5 In the application of paragraphs 2 to 4 above to...
- 6 In the application of paragraphs 2 to 4 above to...

SCHEDULE 2 — Procedure etc.**Part I — ORDERS AND DECISIONS UNDER SECTIONS 3, 4 AND 6**

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Introductory

- 1 In this Schedule— (a) subject to sub-paragraph (2) below, references...

Notice of proposal

- 2 (1) The lead enforcement authority shall give to the person...

Hearing of representations

- 3 Where the lead enforcement authority receives notice under paragraph 2(3)(b)...
- 4 (1) In the course of the hearing of oral representations...
- 5 If the lead enforcement authority adjourns the hearing it shall...

Decision

- 6 (1) The lead enforcement authority shall take into account in...
- 7 If the lead enforcement authority decides not to proceed with...
- 8 If the lead enforcement authority decides to proceed with its...

Notification of decision

- 9 (1) Notice of the decision to make the order, and...
 - 10 (1) Subject to sub-paragraph (2) below, the order to which...
- Part II — APPLICATIONS UNDER SECTIONS 6(1) AND 8(3)
- 11 Any reference in this Part of this Schedule to an...
 - 12 An application shall be in writing and be in such...
 - 13 The lead enforcement authority may by notice require the applicant...
 - 14 If an application does not comply with paragraph 12 above...

SCHEDULE 3 — Redress Schemes

Approval of redress schemes

- 1 A redress scheme may be approved for the purposes of...
- 2 (1) A scheme may not be approved unless the lead...
- 3 (1) In determining whether a scheme, or any provisions mentioned...
- 4 The lead enforcement authority must not approve a scheme unless...
- 5 The lead enforcement authority must not approve a scheme if...

Applications for approval to the lead enforcement authority

- 6 An application for approval by the lead enforcement authority of...
- 7 Where the lead enforcement authority is proposing to refuse an...
- 8 If the lead enforcement authority decides to refuse an application...

Notification of changes to an approved scheme

- 9 The scheme administrator of a redress scheme which is approved...

Withdrawal of approval by the lead enforcement authority

- 10 The lead enforcement authority may withdraw approval of a redress...
- 11 Before withdrawing approval of a scheme, the lead enforcement authority...
- 12 The lead enforcement authority must give the scheme administrator a...

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- 13 If the lead enforcement authority decides to withdraw approval of...

Revocation of designation by the Secretary of State

- 14 If the Secretary of State decides to revoke his designation...

Defamation proceedings

- 15 For the purposes of the law relating to defamation, proceedings...

Interpretation

- 16 In this Schedule— “ redress scheme ” has the meaning...

SCHEDULE 4 — Penalty notices under section 23B(1)

- 1 A penalty charge notice given to a person under section...
- 2 The penalty charge specified in the notice shall be of...
- 3 (1) The period specified under paragraph 1(c) must not be...
- 4 The enforcement authority may, if they consider that the penalty...
- 5 (1) If, within the period specified under paragraph 1(c) (or...
- 6 (1) If after a review the penalty charge notice is...
- 7 If the penalty charge notice is withdrawn or quashed, the...
- 8 (1) The amount of the penalty charge is recoverable from...
- 9 In proceedings for the recovery of the penalty charge, a...
- 10 Section 29 (service of notices etc.) applies in relation...
- 11 The Secretary of State may by regulations make provision supplementary...
- 12 Any power to make regulations under this Schedule shall be...

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