

Status: Point in time view as at 31/03/2014.

Changes to legislation: Estate Agents Act 1979, Paragraph 2 is up to date with all changes known to be in force on or before 30 May 2024. 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)

SCHEDULES

[^{F1}SCHEDULE 3

REDRESS SCHEMES

Textual Amendments

- F1** Sch. 3 inserted (12.10.2007) by [Consumers, Estate Agents and Redress Act 2007 \(c. 17\)](#), s. 66(2), [Sch. 6 para. 3](#); [S.I. 2007/2934](#), art. 3, Sch.

Approval of redress schemes

- 2 (1) A scheme may not be approved unless the [^{F2}lead enforcement authority] considers that—
- (a) the provisions of the scheme; and
 - (b) the manner in which it will be operated (so far as can be judged from facts known to the authority);
- are satisfactory for the purposes of section 23A.
- (2) Without prejudice to the generality of sub-paragraph (1), a scheme must not be approved unless the [^{F3}lead enforcement authority] considers that it makes satisfactory provision about—
- (a) the complaints which may be made under the scheme (which may include complaints about non-compliance with the provisions of a code of practice or other document);
 - (b) the ombudsman's duties and powers in relation to the investigation and determination of complaints (which may include power to decide not to investigate or determine a particular complaint);
 - (c) the redress which the ombudsman may require members to provide to complainants, which must include the types of redress specified in sub-paragraph (3);
 - (d) the enforcement of any requirement to provide redress imposed on a member in accordance with the scheme.
- (3) The types of redress mentioned in sub-paragraph (2)(c) are—
- (a) providing an apology or explanation;
 - (b) paying compensation; and
 - (c) taking such other actions in the interests of the complainant as the ombudsman may specify.]

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Textual Amendments

- F2** Words in Sch. 3 para. 2(1) substituted (31.3.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading’s Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(5), **Sch. 2 para. 1(14)(b)** (with Sch. 1 para. 28, 2 paras. 13-15)
- F3** Words in Sch. 3 para. 2(2) substituted (31.3.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading’s Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(5), **Sch. 2 para. 1(14)(b)** (with Sch. 1 para. 28, 2 paras. 13-15)

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