



Estate Agents Act 1979

1979 CHAPTER 38

Orders by Director General of Fair Trading

5 Supplementary provisions as to orders under sections 3 and 4.

- (1) The provisions of Part I of Schedule 2 to this Act shall have effect—
 - (a) with respect to the procedure to be followed before an order is made by the Director under section 3 or section 4 above; and
 - (b) in connection with the making and coming into operation of any such order.
- (2) Where an order is made by the Director under section 3 or section 4 above against a partnership, it may, if the Director thinks it appropriate, have effect also as an order against some or all of the partners individually, and in such a case the order shall so provide and shall specify the names of the partners affected by the order.
- (3) Nothing in section 62 of the ^{M1}Sex Discrimination Act 1975, section 53 of the ^{M2}Race Relations Act 1976 or Article 62 of the ^{M3}Sex Discrimination (Northern Ireland) Order 1976 [^{F1}or Article 51 of the Race Relations (Northern Ireland) Order 1997] (restriction of sanctions for breaches of those Acts and [^{F2}those Orders]) shall be construed as applying to the making of an order by the Director under section 3 above.
- (4) In any case where—
 - (a) an order of the Director under section 3 above specifies a conviction as a ground for the order, and
 - (b) the conviction becomes spent for the purposes of the ^{M4}Rehabilitation of Offenders Act 1974 or any corresponding enactment for the time being in force in Northern Ireland,then, unless the order also specifies other grounds which remain valid, the order shall cease to have effect on the day on which the conviction becomes so spent.
- (5) In any case where—
 - (a) an order of the Director under section 3 above specifies as grounds for the order the fact that the person concerned committed discrimination by reason of the existence of any such finding or notice as is referred to in paragraph 2 of Schedule 1 to this Act, and

Status: Point in time view as at 04/08/1997. This version of this provision has been superseded.

Changes to legislation: Estate Agents Act 1979, Section 5 is up to date with all changes known to be in force on or before 19 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)

- (b) the period expires at the end of which, by virtue of paragraph 3 of that Schedule, the person concerned would no longer be treated for the purposes of section 3(1)(b) above as having committed discrimination by reason only of that finding or notice,

then, unless the order also specifies other grounds which remain valid, the order shall cease to have effect at the end of that period.

Textual Amendments

- F1** Words in s. 5(3) inserted (4.8.1997) by S.I. 1997/869 (N.I. 6), art. 73, **Sch. 2 para. 2(1)**; S.R. 1997/273, **art. 2(4)**
- F2** Words in s. 5(3) substituted (4.8.1997) by S.I. 1997/869 (N.I. 6), art. 73, **Sch. 2 para. 2(1)**; S.R. 1997/273, **art. 2(4)**
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Marginal Citations

- M1** 1975 c. 65.
- M2** 1976 c. 74.
- M3** S.I. 1976/1042 (N.I. 15)
- M4** 1974 c. 53.

Status:

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