



# Consumers, Estate Agents and Redress Act 2007

## 2007 CHAPTER 17

### PART 1

#### [<sup>F1</sup>THE CONSUMER ADVOCACY BODIES]

*Abolition: supplementary provision*

#### 35 Transfer of property etc

- (1) This section applies to—
  - <sup>F1</sup>(a) .....
  - <sup>F1</sup>(b) .....
  - (c) if a transfer order has been made under section 32 (whether or not it has taken effect), the Consumer Council for Water;
  - <sup>F1</sup>(d) .....
- (2) The Secretary of State may direct a body to which this section applies—
  - (a) to make a scheme or schemes for the transfer of its property, rights and liabilities to [<sup>F2</sup>Citizens Advice] ;
  - (b) to transfer such property, rights or obligations as are specified in the direction to a person (other than [<sup>F2</sup>Citizens Advice]) so specified (“the specified transferee”).
- (3) Before giving, varying or revoking a direction under subsection (2), the Secretary of State must consult—
  - (a) the body to which the direction is to be or has been given,
  - (b) [<sup>F3</sup>Citizens Advice], and
  - (c) in the case of a direction under subsection (2)(b), the specified transferee.
- (4) A body given a direction under subsection (2)(a) must consult [<sup>F4</sup>Citizens Advice] before making a transfer scheme.

*Changes to legislation: Consumers, Estate Agents and Redress Act 2007, Section 35 is up to date with all changes known to be in force on or before 11 June 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) View outstanding changes*

- (5) A transfer scheme made pursuant to a direction under subsection (2)(a) has effect—
- (a) only if approved by the Secretary of State, and
  - (b) subject to any modifications made by the Secretary of State.
- (6) Before making any modifications the Secretary of State must consult the body to which the direction was given.
- (7) The Secretary of State may make a scheme or schemes for the transfer to [<sup>F5</sup>Citizens Advice] of the property, rights and liabilities of a body to which this section applies.
- (8) Schedule 4 makes further provision about transfer schemes.
- (9) In this section “ transfer scheme ” means a scheme made under or by virtue of subsection (2)(a) or (7).

#### Textual Amendments

- F1** S. 35(1)(a)(b)(d) omitted (1.4.2014) by virtue of [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(3), **Sch. 1 para. 12(36)(a)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F2** Words in s. 35(2) substituted (1.4.2014) 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(3), **Sch. 1 para. 12(36)(b)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F3** Words in s. 35(3)(b) substituted (1.4.2014) 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(3), **Sch. 1 para. 12(36)(c)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F4** Words in s. 35(4) substituted (1.4.2014) 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(3), **Sch. 1 para. 12(36)(d)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F5** Words in s. 35(7) substituted (1.4.2014) 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(3), **Sch. 1 para. 12(36)(e)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)

#### Commencement Information

- I1** S. 35 in force at 21.12.2007 by [S.I. 2007/3546](#), art. 3, **Sch.**

**Changes to legislation:**

Consumers, Estate Agents and Redress Act 2007, Section 35 is up to date with all changes known to be in force on or before 11 June 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(a\)](#)
- s. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(b\)](#)