



# Consumers, Estate Agents and Redress Act 2007

## 2007 CHAPTER 17

### PART 2

#### COMPLAINTS HANDLING AND REDRESS SCHEMES

##### *Requirements relating to redress schemes*

#### **48 Membership of redress schemes: supplementary**

(1) In this Part—

“qualifying redress scheme” means a redress scheme within paragraph (a) or (b) of section 47(1);

“redress scheme” means a scheme under which consumer complaints may be made to, and investigated and determined by, an independent person (“the independent person”);

“scheme administrator”, in relation to a redress scheme, means the person who administers the scheme,

and references to approval of a redress scheme are to approval of the scheme for the purposes of section 47(1)(a).

(2) In the definition of “redress scheme”, “independent”, in relation to a consumer complaint, means independent of—

- (a) the regulated provider against whom the complaint is made, and
- (b) the regulator who is the relevant regulator in relation to the regulated provider.

(3) Nothing in this Part prevents a qualifying redress scheme providing—

- (a) for membership to be open to persons who are not subject to any duty to belong to a qualifying redress scheme;

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*Status: This is the original version (as it was originally enacted).*

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- (b) for the investigation and determination of complaints other than those in relation to which such a duty applies, made against members who have voluntarily accepted the jurisdiction of the scheme over such complaints.
- (4) For the purposes of the law relating to defamation, proceedings under a qualifying redress scheme (in relation to a consumer complaint and a regulated provider to which an order under section 47 applies) are to be treated in the same way as proceedings before a court.