

*Status: Point in time view as at 01/10/2012.*

*Changes to legislation: Equality Act 2010, Cross Heading: Estate Agents Act 1979 is up to date with all changes known to be in force on or before 18 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

### SCHEDULE 26

#### AMENDMENTS

#### [<sup>F1</sup>PART 1

#### ACTS OF PARLIAMENT

##### Textual Amendments

- F1** Sch. 26: Pt. 1 heading and paras. 1-8 inserted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), arts. 1(2), 12, [Sch. 1 para. 2](#)

#### *Estate Agents Act 1979*

- 4 The Estate Agents Act 1979 is amended as follows.
- 5 In section 5(3) (supplementary provisions about prohibition and warning orders)—
- (a) for “section 62 of the Sex Discrimination Act 1975, section 53 of the Race Relations Act 1976” substitute “ section 113 of the Equality Act 2010 (proceedings) ”; and
  - (b) omit “those Acts and”.
- 6 (1) Schedule 1 (provisions supplementary to section 3(1)) is amended as follows.
- (2) For paragraph 2 substitute—
- “2 (1) A person commits discrimination for the purposes of section 3(1)(b) in the following cases only.
- (2) The first case is where—
    - (a) the person has been found to have contravened a relevant equality provision, and
    - (b) no appeal against the finding is pending or can be brought.
  - (3) The second case is where—
    - (a) the person has been given an unlawful act notice under section 21 of the Equality Act 2006,
    - (b) the notice specifies a relevant equality provision as the provision by virtue of which the act in question is unlawful, and
    - (c) no appeal against the giving of the notice is pending or can be brought.
  - (4) The third case is where—

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- (a) the person is the subject of an injunction, interdict or order under section 24 of the Equality Act 2006 (unlawful acts), and
  - (b) the unlawful act in question is a contravention of a relevant equality provision.
- (5) The relevant equality provisions are—
  - (a) Parts 3 and 4 of the Equality Act 2010 (services and premises) so far as relating to discrimination and victimisation, and
  - (b) section 112 of that Act (aiding contraventions) in relation to either of those Parts of that Act so far as relating to discrimination and victimisation.”
- (3) In paragraph 3 for “discrimination” substitute “ a contravention of a relevant equality provision ”.
- (4) For paragraph 4 substitute—
  - “4 For the purposes of paragraphs 2 and 3 “discrimination” and “victimisation” have the same meaning as in the Equality Act 2010.”.]

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