



Enterprise and Regulatory Reform Act 2013

2013 CHAPTER 24

PART 6

MISCELLANEOUS AND GENERAL

Redress schemes: lettings and property management agents

88 Redress schemes: supplemental

- (1) The power to make an order under section 83, 84 or 87 includes power to make incidental, supplementary, consequential, transitional or saving provision, including doing so by amending any provision made by or under an Act.
- (2) An order under any of those sections must be made by statutory instrument.
- (3) A statutory instrument containing (whether alone or with other provision)—
 - (a) an order under section 83 or 84 which includes—
 - (i) provision by virtue of section 85, or
 - (ii) provision by virtue of subsection (1) of this section that amends an Act, or
 - (b) an order under section 87,may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (4) A statutory instrument containing an order under section 83 or 84, other than one to which subsection (3) applies, is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Nothing in sections 83 to 87 prevents a redress scheme from providing—
 - (a) for membership to be open to persons who are not subject to the duty to be a member of a scheme;

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to Enterprise and Regulatory Reform Act 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (b) for the investigation and determination of any complaints in relation to which the duty does not apply, where the members concerned have voluntarily accepted the jurisdiction of the scheme over those complaints;
- (c) for the exclusion from investigation and determination under the scheme of any complaint in such cases or circumstances as may be specified in or determined under the scheme.

Commencement Information

II S. 88 partly in force; s. 88 in force for specified purposes at Royal Assent, see s. 103(1)(i)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2013/1455 art. 3 4 Sch. 3 by [S.I. 2013/2271 art. 2](#)
- specified provision(s) revocation of earlier commencing SI 2015/641 by [S.I. 2015/1558 art. 2](#)

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):

- Sch. 4 para. 1(1)(b)(iv)(v) inserted by [2020 c. 27 Sch. 3 para. 2\(2\)\(e\)](#)
- Sch. 4 para. 1(2A)-(2D) inserted by [2020 c. 27 Sch. 3 para. 2\(3\)](#)
- Sch. 4 para. 3(2A) inserted by [2020 c. 27 Sch. 3 para. 3\(2\)](#)
- Sch. 4 para. 3(4)(5) inserted by [2020 c. 27 Sch. 3 para. 3\(3\)](#)
- Sch. 4 para. 4(1A) inserted by [2020 c. 27 Sch. 3 para. 4\(2\)](#)
- Sch. 4 para. 6(4) inserted by [2020 c. 27 Sch. 3 para. 5\(4\)](#)
- Sch. 4 para. 9(2)(c) and word inserted by [2020 c. 27 Sch. 3 para. 6\(b\)](#)
- Sch. 4 Pt. 3A inserted by [2020 c. 27 Sch. 3 para. 8](#)
- Sch. 4 para. 12(3)(a)-(d) substituted for words by [2020 c. 27 s. 40\(2\)](#)
- Sch. 4 para. 13(2)(a)-(d) substituted for words by [2020 c. 27 s. 40\(3\)](#)
- Sch. 4 para. 14(3)(a)(i)-(iv) substituted for words by [2020 c. 27 s. 40\(4\)](#)
- Sch. 4 para. 9(2)(a) word omitted by [2020 c. 27 Sch. 3 para. 6\(a\)](#)