



Housing and Planning Act 2016

2016 CHAPTER 22

PART 5

HOUSING, ESTATE AGENTS AND RENTCHARGES: OTHER CHANGES

Client money protection schemes for property agents

133 Power to require property agents to join client money protection schemes

- (1) The Secretary of State may by regulations require a property agent to be a member of—
 - (a) a client money protection scheme approved by the Secretary of State for the purpose of the regulations, or
 - (b) a government administered client money protection scheme that is designated by the Secretary of State for the purpose of the regulations.
- (2) The regulations may impose requirements about the nature of the membership that a property agent must obtain (for example, by requiring a property agent to obtain membership that results in a particular level of compensation being available).
- (3) The regulations shall—
 - (a) require a property agent to obtain a certificate confirming the property agent's membership of the scheme;
 - (b) require the property agent to display or publish the certificate in accordance with the regulations;
 - (c) require the property agent to produce a copy of the certificate, on request, in accordance with the regulations.
- (4) In this section—

“client money protection scheme” means a scheme which enables a person on whose behalf a property agent holds money to be compensated if all or part of that money is not repaid in circumstances in which the scheme applies;

Changes to legislation: Housing and Planning Act 2016, Section 133 is up to date with all changes known to be in force on or before 29 August 2023. 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](#)

“government administered client money protection scheme” means a client money protection scheme that is administered by or on behalf of the Secretary of State;

“property agent” means—

- (a) a person who engages in English letting agency work within the meaning of section 54, or
- (b) a person who engages in English property management work within the meaning of section 55,

other than a person who engages in that work in the course of the person's employment under a contract of employment.

Commencement Information

II [S. 133](#) in force at 19.3.2018 by [S.I. 2018/251](#), [reg. 3\(a\)](#)

Changes to legislation:

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[View outstanding changes](#)

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. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)