



# Tenant Fees Act 2019

## 2019 CHAPTER 4

### *Final provisions*

#### **29 Consequential amendments**

- (1) In section 87 (enforcement of duty of letting agents to publicise fees etc) of the Consumer Rights Act 2015—
- (a) after subsection (1) insert—

“(1A) The duty in subsection (1) is subject to section 26 (enforcement by the lead enforcement authority) of the Tenant Fees Act 2019.”;
  - (b) in subsection (9), after “guidance issued by the Secretary of State” insert “or the lead enforcement authority (if not the Secretary of State)”;
  - (c) after subsection (12) insert—

“(13) For provisions about enforcement of this Chapter by the lead enforcement authority, see sections 24 to 26 of the Tenant Fees Act 2019.

(14) In this section “lead enforcement authority” has the meaning given by section 24(1) of the Tenant Fees Act 2019.”
- (2) In section 85 (enforcement of requirements relating to redress orders) of the Enterprise and Regulatory Reform Act 2013—
- (a) after subsection (4) insert—

“(4A) A person on whom functions are conferred under subsection (4) must have regard to any guidance issued by the Secretary of State or the lead enforcement authority (if not the Secretary of State) relating to the enforcement of an order under section 83(1) or 84(1).”;
  - (b) after subsection (5) insert—

“(6) For provisions about enforcement of an order under section 83(1) or 84(1) by the lead enforcement authority, see sections 24 to 26 of the Tenant Fees Act 2019.

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*Status: This is the original version (as it was originally enacted).*

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- (7) In this section “lead enforcement authority” has the meaning given by section 24(1) of the Tenant Fees Act 2019.”
- (3) In article 7 of the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 (S.I. 2014/2359), after paragraph (2) insert—
- “(3) The duty referred to in paragraph (1) is subject to section 26 (enforcement by the lead enforcement authority) of the Tenant Fees Act 2019.”
- (4) The amendment made by subsection (3) is without prejudice to any power to make an order or regulations amending or revoking the order mentioned in that subsection.
- (5) In section 135 (enforcement of client money protection scheme regulations) of the Housing and Planning Act 2016—
- (a) in subsection (3), after “the Secretary of State” insert “or the lead enforcement authority (if not the Secretary of State)”;  
(b) after subsection (5) insert—
- “(6) For provisions about enforcement of regulations under section 133 or 134 or under this section by the lead enforcement authority, see sections 24 to 26 of the Tenant Fees Act 2019.
- (7) In this section “lead enforcement authority” has the meaning given by section 24(1) of the Tenant Fees Act 2019.”
- (6) In regulation 5 of the Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019 (enforcement)—
- (a) in paragraph (1) omit “, subject to regulation 8(3)”;  
(b) after that paragraph insert—
- “(1A) Paragraph (1) is subject to—
- (a) regulation 8(3), and  
(b) section 26 of the Tenant Fees Act 2019.”;
- (c) in paragraph (3), after “the Secretary of State” insert “or the lead enforcement authority (if not the Secretary of State)”.
- (7) The amendments made by subsection (6) are without prejudice to any power to make an order or regulations amending or revoking the regulations mentioned in that subsection.