

STATUTORY INSTRUMENTS

2019 No. 386

The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019

Enforcement

5.—(1) It is the duty of every local authority in England ^{M1} to enforce the requirements of regulations 3 and 4 in its area ^{F1}...

[^{F2}(1A) Paragraph (1) is subject to—

- (a) regulation 8(3), and
- (b) section 26 of the Tenant Fees Act 2019.]

(2) A breach of regulation 3 or 4 by a property agent is taken to have occurred in each local authority area in England in which—

- (a) the agent has premises; or
- (b) housing is situated in relation to which the property agent's English letting agency work ^{M2} or English property management work(^{M3}) is undertaken.

(3) A local authority in England must have regard to any guidance given by the Secretary of State [^{F3}or the lead enforcement authority (if not the Secretary of State)] about the exercise of its functions under these Regulations.

Textual Amendments

- F1** Words in reg. 5(1) omitted (15.4.2019) by virtue of [Tenant Fees Act 2019 \(c. 4\), ss. 29\(6\)\(a\), 34\(1\)](#) (with s. 29(7)); S.I. 2019/857, reg. 2(d)
- F2** Reg. 5(1A) inserted (15.4.2019) by [Tenant Fees Act 2019 \(c. 4\), ss. 29\(6\)\(b\), 34\(1\)](#) (with s. 29(7)); S.I. 2019/857, reg. 2(d)
- F3** Words in reg. 5(3) inserted (15.4.2019) by [Tenant Fees Act 2019 \(c. 4\), ss. 29\(6\)\(c\), 34\(1\)](#) (with s. 29(7)); S.I. 2019/857, reg. 2(d)

Commencement Information

- I1** Reg. 5 in force at 1.4.2019, see reg. 1(2)

Marginal Citations

- M1** See section 135(5) of the Housing and Planning Act 2016 for the definition of local authority in England.
- M2** See section 54(5) of the Housing and Planning Act 2016 for the definition of English letting agency work.
- M3** See section 55(3) of the Housing and Planning Act 2016 for the definition of English property management work.

Changes to legislation:

There are currently no known outstanding effects for the The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019, Section 5.