

**Changes to legislation:** Estate Agents Act 1979, Cross Heading: Introductory is up to date with all changes known to be in force on or before 14 September 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

## SCHEDULES

### SCHEDULE 2

#### PROCEDURE ETC.

#### PART I

#### ORDERS AND DECISIONS UNDER SECTIONS 3, 4 AND 6

##### *Introductory*

- 1 In this Schedule—
- (a) subject to sub-paragraph (2) below, references to “the person affected” are to the person in respect of whom the [<sup>F1</sup>lead enforcement authority] proposes to make, or has made, an order under section 3 or section 4 of this Act, or who has made an application under section 6 of this Act for the variation or revocation of such an order; and
  - (b) references to the [<sup>F2</sup>lead enforcement authority’s] “proposal” are to any proposal of [<sup>F3</sup>its] to make such an order or to make a decision under subsection (4) or subsection (5) of section 6 of this Act on such an application.
- (2) In the case of a proposal of the [<sup>F4</sup>lead enforcement authority] to make an order under section 3 or section 4 of this Act against a partnership where, by virtue of section 5(2) of this Act, [<sup>F3</sup>it] intends that the order shall have effect as an order against some or all of the partners individually, references in the following provisions of this Schedule to the person affected shall be construed, except where the contrary is provided, as references to each of the partners affected by the order, as well as to the partnership itself.

#### Textual Amendments

- F1** Words in Sch. 2 para. 1(1)(a) substituted (31.3.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading’s Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(5), **Sch. 2 para. 1(13)(a)(i)** (with Sch. 1 para. 28, 2 paras. 13-15)
- F2** Words in Sch. 2 para. 1(1)(b) substituted (31.3.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading’s Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(5), **Sch. 2 para. 1(13)(a)(ii)** (with Sch. 1 para. 28, 2 paras. 13-15)
- F3** Words in Sch. 2 para. 1 substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 9(16)(b)**; [S.I. 2003/766](#), art. 2, Sch. (with art. 3) (as amended (20.7.2007) by [S.I. 2007/1846](#), reg. 3(2), Sch.)
- F4** Words in Sch. 2 para. 1(2) substituted (31.3.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading’s Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(5), **Sch. 2 para. 1(13)(a)(iii)** (with Sch. 1 para. 28, 2 paras. 13-15)

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**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. 21A inserted by [2007 c. 17 s. 54\(1\)](#)