



# Estate Agents Act 1979

## 1979 CHAPTER 38

### *Clients' money and accounts*

#### **12 Meaning of “clients’ money” etc.**

- (1) In this Act “clients’ money”, in relation to a person engaged in estate agency work, means any money received by him in the course of that work which is a contract or pre-contract deposit—
- (a) in respect of the acquisition of an interest in land in the United Kingdom, or
  - (b) in respect of a connected contract,
- whether that money is held or received by him as agent, bailee, stakeholder or in any other capacity.
- (2) In this Act “contract deposit” means any sum paid by a purchaser—
- (a) which in whole or in part is, or is intended to form part of, the consideration for acquiring such an interest as is referred to in subsection (1)(a) above or for a connected contract; and
  - (b) which is paid by him at or after the time at which he acquires the interest or enters into an enforceable contract to acquire it.
- (3) In this Act “pre-contract deposit” means any sum paid by any person—
- (a) in whole or in part as an earnest of his intention to acquire such an interest as is referred to in subsection (1)(a) above, or
  - (b) in whole or in part towards meeting any liability of his in respect of the consideration for the acquisition of such an interest which will arise if he acquires or enters into an enforceable contract to acquire the interest, or
  - (c) in respect of a connected contract,
- and which is paid by him at a time before he either acquires the interest or enters into an enforceable contract to acquire it.
- (4) In this Act “connected contract”, in relation to the acquisition of an interest in land, means a contract which is conditional upon such an acquisition or upon entering into an enforceable contract for such an acquisition (whether or not it is also conditional on other matters).

**Changes to legislation:**

Estate Agents Act 1979, Section 12 is up to date with all changes known to be in force on or before 21 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.

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