



# Enterprise and Regulatory Reform Act 2013

## 2013 CHAPTER 24

### PART 6

#### MISCELLANEOUS AND GENERAL

##### *Redress schemes: lettings and property management agents*

#### **88 Redress schemes: supplemental**

- (1) The power to make an order under section 83, 84 or 87 includes power to make incidental, supplementary, consequential, transitional or saving provision, including doing so by amending any provision made by or under an Act.
- (2) An order under any of those sections must be made by statutory instrument.
- (3) A statutory instrument containing (whether alone or with other provision)—
  - (a) an order under section 83 or 84 which includes—
    - (i) provision by virtue of section 85, or
    - (ii) provision by virtue of subsection (1) of this section that amends an Act, or
  - (b) an order under section 87,may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (4) A statutory instrument containing an order under section 83 or 84, other than one to which subsection (3) applies, is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Nothing in sections 83 to 87 prevents a redress scheme from providing—
  - (a) for membership to be open to persons who are not subject to the duty to be a member of a scheme;

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*Status: This is the original version (as it was originally enacted).*

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- (b) for the investigation and determination of any complaints in relation to which the duty does not apply, where the members concerned have voluntarily accepted the jurisdiction of the scheme over those complaints;
- (c) for the exclusion from investigation and determination under the scheme of any complaint in such cases or circumstances as may be specified in or determined under the scheme.