

2008 No. 905 (C.43)

CONSUMER PROTECTION

ESTATE AGENTS

**The Consumers, Estate Agents and Redress Act 2007
(Commencement No. 4) Order 2008**

Made - - - -

26th March 2008

The Secretary of State makes the following Order in exercise of the power conferred by section 66(2) of the Consumers, Estate Agents and Redress Act 2007(a).

Citation

1. This Order may be cited as the Consumers, Estate Agents and Redress Act 2007 (Commencement No. 4) Order 2008.

Interpretation

2. In this Order “the Act” means the Consumers, Estate Agents and Redress Act 2007.

Commencement

3.—(1) The provision of the Act specified in Schedule 1 shall come into force on 1st April 2008.

(2) The provisions of the Act specified in Schedule 2 shall come into force on 1st October 2008.

26 March 2008

Gareth Thomas
Parliamentary Under-Secretary of State for Trade and Consumer Affairs
Department for Business, Enterprise & Regulatory Reform

(a) 2007 c.17.

SCHEDULE 1

Article 3(1)

PROVISION COMING INTO FORCE ON 1ST APRIL 2008

<i>Provision</i>	<i>Subject Matter of Provision</i>
Paragraph 32 of Schedule 1	Accounts of the National Consumer Council

SCHEDULE 2

Article 3(2)

PROVISIONS COMING INTO FORCE ON 1ST OCTOBER 2008

<i>Provisions</i>	<i>Subject Matter of Provisions</i>
Section 53(2)	Further provision relating to membership of redress schemes
Section 55	Grounds for prohibition orders
Section 56	Grounds for warning orders
Section 57	Powers of entry and inspection
Section 58	Failure to produce information
Section 63(1) (insofar as it relates to provisions in Schedule 7 brought into force on 1st October 2008 by this Order)	Minor, consequential and transitional provision
Section 64 (insofar as it relates to provisions in Schedule 8 brought into force on 1st October 2008 by this Order)	Repeals
Paragraphs 1 and 2 of Schedule 7	Amendments to the Estate Agents Act 1979(a)
In Schedule 8, the entry relating to the Estate Agents Act 1979	Repeals

(a) 1979 c.38.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force further provisions of the Consumers, Estate Agents and Redress Act 2007 as specified in the Schedules to the Order. The provision in Schedule 1 relates to the keeping of accounts by the National Consumer Council. The provisions in Schedule 2 amend the Estate Agents Act 1979 by expanding the grounds for the issue by the Office of Fair Trading of prohibition and warning orders and increasing the investigatory powers of enforcement officers. The provision in Schedule 1 comes into force on 1st April 2008 and the provisions in Schedule 2 come into force on 1st October 2008.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Consumers, Estate Agents and Redress Act 2007 have been brought into force by commencement orders made before the date of this Order. The provision marked with an * below is contained in the Consumers, Estate Agents and Redress Act 2007 (Commencement No.3 and Supplementary Provision) Order 2008, a draft of which was laid before Parliament on 7th March 2008. It is subject to approval by a resolution of each House of Parliament and has not yet been made, but it is intended that it should come into force on 7th May 2008.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1), (2)(a) and (b), (3) and (4)	21.12.07	2007/3546
Section 2(1)(a) and (b) (in so far as they relate to sections 9 and 10(1)(a) and (2)) and (2)-(4)	21.12.07	2007/3546
Section 3	21.12.07	2007/3546
Section 4	21.12.07	2007/3546
Section 5*		
Section 6(1) and (3)-(10)	21.12.07	2007/3546
Section 9	21.12.07	2007/3546
Section 10(1)(a) and (2)	21.12.07	2007/3546
Section 20	21.12.07	2007/3546
Section 22	21.12.07	2007/3546
Section 23	21.12.07	2007/3546
Section 30(4) (c) (for the purposes of section 39A of the Postal Services Act 2000(a)) and (d) (for the purposes of section 8 of the Utilities Act 2000(b))		
Section 35	21.12.07	2007/3546
Section 36	21.12.07	2007/3546
Section 39	21.12.07	2007/3546
Section 40	21.12.07	2007/3546
Section 41	21.12.07	2007/3546
Section 42	21.12.07	2007/3546
Section 43	21.12.07	2007/3546
Section 44	21.12.07	2007/3546
Section 46	21.12.07	2007/3546

(a) 2000 c.26
(b) 2000 c.27.

Section 47	21.12.07	2007/3546
Section 48	21.12.07	2007/3546
Section 49	21.12.07	2007/3546
Section 50	21.12.07	2007/3546
Section 51	21.12.07	2007/3546
Section 53(1)	12.10.07	2007/2934
Section 59	21.12.07	2007/3546
Section 63(1) (insofar as it relates to provisions in Schedule 7 brought into force on 21 December 2007)		2007/3546
Section 64 (insofar as it relates to provisions in Schedule 8 brought into force on 21 December 2007)	21.12.07	2007/3546
Paragraphs 1-26, 28-31 and 33-38 of Schedule 1	21.12.07	2007/3546
Schedule 4	21.12.07	2007/3546
Schedule 6	12.10.07	2007/2934
Paragraph 11 of Schedule 7	21.12.07	2007/3546
In Schedule 8, the entry relating to section 2 of the Postal Services Act 2000 (insofar as it relates to the words “(in this Act referred to as “the Council”))” in section 2(1) for the purposes of section 39A of that Act), and the entries relating to section 39 of the Postal Services Act 2000 and section 8 of the Utilities Act 2000	21.12.07	2007/3546

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