

*Status: Point in time view as at 01/10/1992.*

*Changes to legislation: Estate Agents Act 1979, Cross Heading: Decision is up to date with all changes known to be in force on or before 02 July 2024. 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)*

## SCHEDULES

### SCHEDULE 2

#### PROCEDURE ETC.

#### PART I

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

##### *Decision*

- 6 (1) The Director shall take into account in deciding whether to proceed with his proposal any written or oral representations made in accordance with the preceding provisions of this Schedule.
- (2) If the Director considers that he should proceed with his proposal but for a reason which differs, or on grounds which differ, from those set out in the notice of the proposal under paragraph 2 above, he shall give a further notice under that paragraph.
- (3) In any case where—
- (a) a notice under paragraph 2 above gives more than one reason for the proposal or (in the case of a proposal to make an order under section 3 of this Act) sets out more than one matter which the Director intends should be specified as the grounds for the order, and
  - (b) it appears to the Director that one or more of those reasons should be abandoned or, as the case may be, that one or more of those matters should not be so specified,
- the Director may nevertheless decide to proceed with his proposal on the basis of any other reason given in the notice or, as the case may be, on any other grounds set out in the notice.
- 7 If the Director decides not to proceed with his proposal he shall give notice of that decision to the person affected and, in the case of a notice of a decision on an application under section 6 of this Act, such a notice shall be combined with a notice under subsection (3) of that section.
- 8 If the Director decides to proceed with his proposal he may, if he thinks fit having regard to any representations made to him—
- (a) where the proposal is for the making of an order, make the order in a form which varies from that of the proposed order mentioned in the notice under paragraph 2 above, or
  - (b) where the proposal is to vary an order, make a variation other than that mentioned in the notice under paragraph 2 above, or
  - (c) where the proposal is to refuse to revoke an order, vary the order.

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