



Consumers, Estate Agents and Redress Act 2007

2007 CHAPTER 17

PART 2

COMPLAINTS HANDLING AND REDRESS SCHEMES

Requirements relating to redress schemes

47 Membership of redress scheme

- (1) The Secretary of State may by order require regulated providers to be members of a redress scheme which is—
 - (a) approved by their relevant regulator in accordance with section 49, or
 - (b) administered by the Secretary of State (or a person appointed by the Secretary of State) and designated by the Secretary of State as an appropriate redress scheme in relation to them.
- (2) The order may provide that the requirement applies only in relation to consumer complaints of a kind specified in the order.
- (3) In particular, the order may specify a kind of consumer complaint by reference to the subject-matter of a complaint, or the description of person making a complaint.
- (4) Before making an order under this section the Secretary of State must consult—
 - (a) each relevant regulator (in relation to regulated providers to which the order will apply), and
 - (b) other persons appearing to the Secretary of State to be representative of persons who have an interest in the matter.
- (5) The requirements of subsection (4) may be satisfied by consultation undertaken before the commencement of this section or the passing of this Act.

Changes to legislation: Consumers, Estate Agents and Redress Act 2007, Section 47 is up to date with all changes known to be in force on or before 27 June 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) View outstanding changes

- (6) An order under this section which applies to a water undertaker or sewerage undertaker for an area which is wholly or mainly in Wales may be made only with the consent of the Welsh Ministers.
- (7) The Secretary of State may not make an order under this section unless satisfied, in relation to each regulated provider to which the order will apply, that—
 - (a) there is at least one qualifying redress scheme which the provider is eligible to join and membership of which will satisfy the requirement imposed by the order, or
 - (b) there will be such a scheme when the order comes into force.
- (8) The Secretary of State may not designate a scheme in relation to regulated providers under subsection (1)(b) unless the Secretary of State is satisfied that the scheme is one which could be approved by their relevant regulator in accordance with section 49.
- (9) The Secretary of State may establish or administer a scheme for the purposes of subsection (1)(b), or provide financial assistance to a person who establishes or administers such a scheme; and such a scheme may provide for fees to be payable by members of the scheme.

Commencement Information

II S. 47 in force at 21.12.2007 by [S.I. 2007/3546](#), art. 3, [Sch.](#)

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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. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(a\)](#)
- s. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(b\)](#)