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STATUTORY INSTRUMENTS

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**2019 No. 386**

**The Client Money Protection Schemes for Property Agents  
(Requirement to Belong to a Scheme etc.) Regulations 2019**

**Enforcement**

5.—(1) It is the duty of every local authority in England<sup>(1)</sup> to enforce the requirements of regulations 3 and 4 in its area, subject to regulation 8(3).

(2) A breach of regulation 3 or 4 by a property agent is taken to have occurred in each local authority area in England in which—

- (a) the agent has premises; or
- (b) housing is situated in relation to which the property agent's English letting agency work<sup>(2)</sup> or English property management work<sup>(3)</sup> is undertaken.

(3) A local authority in England must have regard to any guidance given by the Secretary of State about the exercise of its functions under these Regulations.

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<sup>(1)</sup> See section 135(5) of the Housing and Planning Act 2016 for the definition of local authority in England.

<sup>(2)</sup> See section 54(5) of the Housing and Planning Act 2016 for the definition of English letting agency work.

<sup>(3)</sup> See section 55(3) of the Housing and Planning Act 2016 for the definition of English property management work.