

SCHEDULE 2

Consequential, supplementary, incidental and transitional provision and savings relating to the transfer of functions under the Estate Agents Act 1979

PART 4

Transitional provisions and savings

General

13.—(1) Nothing in this Order affects the validity of anything done (or having effect as if done) by or in relation to the OFT before the coming into force of article 5(1).

(2) Anything done (or having effect as if done) by or in relation to the OFT, so far as it relates to any of the functions transferred by article 5(1), has effect, so far as is necessary for continuing its effect after the coming into force of article 5(1), as if done by or in relation to the lead enforcement authority.

(3) Anything (including legal proceedings) which at the coming into force of article 5(1) is in the process of being done by or in relation to the OFT, so far as it relates to any of the functions transferred by article 5(1), may be continued by or in relation to the lead enforcement authority.

(4) So far as is necessary or appropriate for the purposes of or in consequence of the transfer effected by article 5(1), after the coming into force of article 5(1), a reference to the OFT in an instrument or other document is to be treated as a reference to the lead enforcement authority.

(5) This paragraph is subject to paragraphs 14 and 15.

Costs orders

14. Where the OFT is the receiving or paying party under a costs order made in connection with legal proceedings that relate to the exercise of any function transferred by article 5(1), the CMA is to be treated as the receiving or paying party, as the case may be, instead.

General notices issued by the OFT

15.—(1) Any general notices issued by the OFT under the 1979 Act cease to have effect.

(2) In this paragraph “general notice” has the meaning given by section 33(1) of the 1979 Act.

Information

16. The OFT may disclose to the lead enforcement authority any information which the OFT considers it necessary or expedient to disclose to the lead enforcement authority in connection with the transfer of functions by article 5(1).