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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**The Redress Schemes for Lettings Agency Work  
and Property Management Work (Requirement to  
Belong to a Scheme etc) (England) Order 2014**

**PART 2**

**Lettings agency work**

**Requirement to belong to a redress scheme: lettings agency work**

**3.—**(1) A person who engages in lettings agency work must be a member of a redress scheme for dealing with complaints in connection with that work.

(2) The redress scheme must be one that is—

- (a) approved by the Secretary of State; or
- (b) designated by the Secretary of State as a government administered redress scheme.

(3) For the purposes of this article a “complaint” is a complaint made by a person who is or has been a prospective landlord or a prospective tenant.

**Exclusions: lettings agency work**

**4.—**(1) For the purposes of section 83 of the Act, “lettings agency work” does not include the things described in this article.

(2) “Lettings agency work” does not include things done by —

- (a) the employer, where the prospective tenant is an employee;
- (b) the person for whom the prospective tenant provides work or services, where the prospective tenant is a worker;
- (c) the person for whom the prospective tenant provides work or services, where the prospective tenant is —
  - (i) an employee who provides work or services under the contract of employment to a person who is not the prospective tenant’s employer; or
  - (ii) a worker who provides work or services under the worker’s contract to a person who is not a party to that contract;
- (d) the hirer, where the prospective tenant is an agency worker;
- (e) the person for whom the prospective tenant provides services under a contract for services.

(3) “Lettings agency work” does not include things done by —

- (a) an institution within the meaning of paragraph 5 of Schedule 1 to the Local Government Finance Act 1992<sup>(1)</sup>;

(b) an authorised person within the meaning of section 18 of the Legal Services Act 2007<sup>(2)</sup>.

(4) In this article the following have the same meaning as the Agency Workers Regulations 2010<sup>(3)</sup> —

“agency worker”

“contract of employment”

“employee”

“employer”

“hirer”

“worker”.

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<sup>(2)</sup> 2007 c.29

<sup>(3)</sup> S.I. 2010/93; amended by SI 2011/1941.