



# Estate Agents Act 1979

## CHAPTER 38

### ESTATE AGENTS ACT 1979

#### *Application of Act*

- 1 Estate agency work.
- 2 Interests in land.

#### *Orders by Director General of Fair Trading*

- 3 Orders prohibiting unfit persons from doing estate agency work.
- 4 Warning orders.
- 5 Supplementary provisions as to orders under sections 3 and 4.
- 6 Revocation and variation of orders under sections 3 and 4.
- 7 Appeals.
- 8 Register of orders etc.

#### *Information, entry and inspection*

- 9 Information for the Director.
- 10 Restriction on disclosure of information.
- 11 Powers of entry and inspection.

#### *Clients' money and accounts*

- 12 Meaning of "clients' money" etc.
- 13 Clients' money held on trust or as agent.
- 14 Keeping of client accounts.
- 15 Interest on clients' money.
- 16 Insurance cover for clients' money.
- 17 Exemptions from section 16.

*Status: Point in time view as at 01/09/1995.*

*Changes to legislation: Estate Agents Act 1979 is up to date with all changes known to be in force on or before 10 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)*

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*Regulation of other aspects of estate agency work*

- 18 Information to clients of prospective liabilities.
- 19 Regulation of pre-contract deposits outside Scotland.

*Supervision, enforcement, publicity, etc.*

- 20 Prohibition of pre-contract deposits in Scotland.
- 21 Transactions in which an estate agent has a personal interest.
- 22 Standards of competence.
- 23 Bankrupts not to engage in estate agency work.

*Supervision, enforcement, publicity etc.*

- 24 Supervision by Council on Tribunals.
- 25 General duties of Director.
- 26 Enforcement authorities.
- 27 Obstruction and personation of authorised officers.

*Supplementary*

- 28 General provisions as to offences.
- 29 Service of notices etc.
- 30 Orders and regulations.
- 31 Meaning of “business associate” and “controller”.
- 32 Meaning of “associate”.
- 33 General interpretation provisions.
- 34 Financial provisions.
- 35 Scotland.
- 36 Short title, commencement and extent.

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SCHEDULES

SCHEDULE 1 — Provisions Supplementary to Section 3(1)

*Spent convictions*

- 1 A conviction which is to be treated as spent for...

*Discrimination*

- 2 A person shall be deemed to have committed discrimination for...
- 3 After the expiry of the period of five years beginning...
- 4 (1) So far as paragraphs 2 and 3 above relate...
- 5 In the application of paragraphs 2 to 4 above to...
- 6 In the application of paragraphs 2 to 4 above to...

SCHEDULE 2 — Procedure etc.

Part I — ORDERS AND DECISIONS UNDER SECTIONS 3, 4 AND 6

*Introductory*

- 1 In this Schedule— (a) subject to sub-paragraph (2) below, references...

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### *Notice of proposal*

- 2 (1) The Director shall give to the person affected a...

### *Hearing of representations*

- 3 Where the Director receives notice under paragraph 2(3)(b) above he...  
4 (1) In the course of the hearing of oral representations...  
5 If the Director adjourns the hearing he shall give the...

### *Decision*

- 6 (1) The Director shall take into account in deciding whether...  
7 If the Director decides not to proceed with his proposal...  
8 If the Director decides to proceed with his proposal he...

### *Notification of decision*

- 9 (1) Notice of the decision to make the order, and...  
10 (1) Subject to sub-paragraph (2) below, the order to which...  
Part II — APPLICATIONS UNDER SECTIONS 6(1) AND 8(3)  
11 Any reference in this Part of this Schedule to an...  
12 An application shall be in writing and be in such...  
13 The Director may by notice require the applicant to publish...  
14 If an application does not comply with paragraph 12 above...

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