



Consumers, Estate Agents and Redress Act 2007

2007 CHAPTER 17

PART 1

[^{F1}THE CONSUMER ADVOCACY BODIES]

Powers of investigation

12 Investigation of complaints made by vulnerable designated consumers

- (1) Subsection (3) applies to a complaint which is made—
 - (a) by or on behalf of a vulnerable person in that person's capacity as a designated consumer (“the designated consumer”),
 - (b) against a person (“the supplier”) who in the course of a business carried on by the supplier supplies or seeks to supply, or refuses to supply, goods or services to the designated consumer, and
 - (c) in respect of a matter connected with the supply of goods or services by the supplier to the designated consumer or a refusal by the supplier to supply goods or services to the designated consumer.
- (2) For this purpose a person is “vulnerable” if [^{F1}the consumer advocacy body to which the complaint is referred] is satisfied that it is not reasonable to expect that person to pursue the complaint on that person's own behalf.
- (3) Where a complaint to which this subsection applies is referred to [^{F2}a consumer advocacy body] by or on behalf of the designated consumer, [^{F3}that consumer advocacy body] may investigate the complaint for the purpose of determining whether it is appropriate to take any action under subsection (4).
- (4) Where it appears to [^{F4}a consumer advocacy body] to be appropriate to do so with a view to assisting in reaching a satisfactory resolution of a complaint referred to it under this section, [^{F5}that consumer advocacy body] may—

Status: Point in time view as at 13/01/2022.

Changes to legislation: Consumers, Estate Agents and Redress Act 2007, Section 12 is up to date with all changes known to be in force on or before 13 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)

- (a) provide advice to the designated consumer or, if the complaint was made by another person on the designated consumer's behalf, that person;
- (b) make representations on behalf of the designated consumer to the supplier about anything to which the complaint relates.

[^{F6}(5) Where a complaint is referred to Citizens Advice, Citizens Advice Scotland or Consumer Scotland, that body may agree with another of those bodies that the complaint is to be treated as having been referred to that other body.]

[^{F7}(6) If [^{F8}two of those bodies] so agree in a particular case, subsections (3) and (4) and sections 14(2) to (4) and 15(1) are to have effect accordingly.]

Textual Amendments

- F1** Words in s. 12(2) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(16)(a)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F2** Words in s. 12(3) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(16)(b)(i)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F3** Words in s. 12(3) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(16)(b)(ii)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F4** Words in s. 12(4) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(16)(c)(i)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F5** Words in s. 12(4) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(16)(c)(ii)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F6** S. 12(5) substituted (13.1.2022) by [The Consumer Scotland Act 2020 \(Consequential Provisions and Modifications\) Order 2022 \(S.I. 2022/34\)](#), art. 1(1), **Sch. para. 7(5)(a)** (with art. 5)
- F7** S. 12(5)(6) inserted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(16)(d)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F8** Words in s. 12(6) substituted (13.1.2022) by [The Consumer Scotland Act 2020 \(Consequential Provisions and Modifications\) Order 2022 \(S.I. 2022/34\)](#), art. 1(1), **Sch. para. 7(5)(b)** (with art. 5)

Commencement Information

- I1** S. 12 in force at 1.10.2008 by [S.I. 2008/2550](#), art. 2, **Sch.**

Status:

Point in time view as at 13/01/2022.

Changes to legislation:

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