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STATUTORY INSTRUMENTS

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**2007 No. 1667**

**The Home Information Pack (No. 2) Regulations 2007**

**PART 6**

**EXCEPTIONS**

**Exception – properties marketed before the commencement date**

**33.**—(1) In this regulation, “commencement date” means the date appointed by the Secretary of State for the coming into force of sections 155(1), 156(1) and 159(2) of the 2004 Act in relation to the property<sup>(1)</sup>.

(2) This regulation applies in relation to a property where—

- (a) the property is put on the market by or on behalf of the seller before the commencement date;
- (b) action taken at any time during the period starting with 1st June 2006 and ending before the commencement date by or on behalf of the seller, made public the fact that the property was on the market;
- (c) such action was taken with the intention of selling the property before the commencement date; and
- (d) such action was sustained to a reasonable extent after it was put on the market, during the period starting with 1st June 2006 and ending before the commencement date.

(3) A person is not a responsible person in relation to a property to which this regulation applies, by virtue of action taken on or after the commencement date, by or on behalf of the seller, which makes public the fact that the property is on the market<sup>(2)</sup>.

(4) The duties under sections 155 to 159 of the 2004 Act do not apply in relation to a property to which this regulation applies, which is put back on the market on or after the commencement date—

- (a) after the seller had accepted an offer to buy the property; and
- (b) within 28 days of that offer being withdrawn or its acceptance repudiated.

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(1) In accordance with section 270(6) or (8) of the 2004 Act.

(2) See sections 151, 152(1)(b) and 153(1)(b) of the 2004 Act.