

2007 No. 1946

HOUSING, ENGLAND AND WALES

**The Home Information Pack (Redress Scheme) (No.2) Order
2007**

<i>Made</i> - - - -	<i>9th July 2007</i>
<i>Laid before Parliament</i>	<i>10th July 2007</i>
<i>Coming into force</i> - -	<i>1st August 2007</i>

The Secretary of State has approved a redress scheme pursuant to section 173 of the Housing Act 2004 (a) and makes the following Order in exercise of the powers conferred by section 172 of that Act.

Citation, Commencement and Interpretation

1.—(1) This Order may be cited as the Home Information Pack (Redress Scheme) (No.2) Order 2007 and shall come into force on 1st August 2007.

(2) In this Order —

“the 2004 Act” means the Housing Act 2004;

“the Regulations” means the Home Information Pack (No.2) Regulations 2007(b); and

“commencement date” has the same meaning as in regulation 33(1)(a) of the Regulations.

Requirement to belong to an approved redress scheme

2.—(1) Subject to paragraph (2), where, on or after the commencement date, a duty arises under section 155 or 159 of the 2004 Act, subject to the Regulations, every estate agent to whom that duty applies shall be required to be a member of an approved redress scheme.

(2) The requirement in paragraph (1) does not apply to an estate agent who does not engage in estate agency work within the meaning of section 1 of the Estate Agents Act 1979(c).

9th July 2007

Pat McFadden
Minister of State for Employment Relations and Postal Affairs
Department for Business, Enterprise and Regulatory Reform

(a) 2004 c.34.
(b) S.I. 2007/xxxx.
(c) 1979 c.38.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order requires estate agents in England and Wales to be members of an approved redress scheme for the purpose of dealing with complaints related to Home Information Packs. Before such an Order can be made the Secretary of State must have approved one or more redress schemes pursuant to section 173 of the Housing Act 2004, and details of every approved scheme are available on the Department for Business, Enterprise and Regulatory Reform website.

The requirement to belong to an approved redress scheme applies –

- (a) in respect of those properties for which a Home Information Pack is required under Part 5 of the Housing Act 2004, as that Part is brought into force from time to time in respect of different types of property - from 1st August this will be in respect of residential properties with four or more bedrooms; and
- (b) only to persons who engage in estate agency work as defined in section 1 of the Estate Agents Act 1979.

A Regulatory Impact Assessment has not been prepared in respect of this Order as the impact assessment has been reflected in the Regulatory Impact Assessment made in respect of the Home Information Pack (No.2) Regulations 2007, a copy of which can be obtained from the Department for Communities and Local Government or from its website at www.communities.gov.uk.

£3.00

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E1011 7/2007 171011T 19585