

Changes to legislation: Estate Agents Act 1979, Cross Heading: Hearing of representations is up to date with all changes known to be in force on or before 11 August 2023. 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) View outstanding changes

SCHEDULES

SCHEDULE 2

PROCEDURE ETC.

PART I

ORDERS AND DECISIONS UNDER SECTIONS 3, 4 AND 6

Hearing of representations

- 3 Where the [F¹lead enforcement authority] receives notice under paragraph 2(3)(b) above [F²it] shall give the person affected not less than twenty-one days' notice, or such shorter notice as the person affected may consent to accept, of the date, time and place at which his representations are to be heard.

Textual Amendments

- F1** Words in Sch. 2 para. 3 substituted (31.3.2014) 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(5), Sch. 2 para. 1(13)(a)(v)(bb) (with Sch. 1 para. 28, 2 paras. 13-15)
- F2** Word in Sch. 2 para. 3 substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, **Sch. 25 para. 9(16)(c)**; [S.I. 2003/766](#), art. 2, Sch. (with art. 3) (as amended (20.7.2007) by [S.I. 2007/1846](#), reg. 3(2), Sch.)

- 4 (1) In the course of the hearing of oral representations the [F³lead enforcement authority] shall, at the request of the person affected, permit any other person (in addition to the person affected) to make representations on his behalf or to give evidence or to introduce documents for him.
- (2) The [F⁴lead enforcement authority] shall not refuse to admit evidence solely on the grounds that it would not be admissible in a court of law.

Textual Amendments

- F3** Words in Sch. 2 para. 4(1) substituted (31.3.2014) 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(5), Sch. 2 para. 1(13)(a)(v)(cc) (with Sch. 1 para. 28, 2 paras. 13-15)
- F4** Words in Sch. 2 para. 4(2) substituted (31.3.2014) 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(5), Sch. 2 para. 1(13)(a)(v)(cc) (with Sch. 1 para. 28, 2 paras. 13-15)

- 5 If the [F⁵lead enforcement authority] adjourns the hearing [F⁶it] shall give the person affected reasonable notice of the date, time and place at which the hearing is to be resumed.

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Textual Amendments

- F5** Words in Sch. 2 para. 5 substituted (31.3.2014) 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(5), Sch. 2 para. 1(13)(a)(v)(dd) (with Sch. 1 para. 28, 2 paras. 13-15)
- F6** Word in Sch. 2 para. 5 substituted (1.4.2003) by [Enterprise Act 2002 \(c. 40\)](#), s. 279, [Sch. 25 para. 9\(16\)\(c\)](#); [S.I. 2003/766](#), art. 2, Sch. (with art. 3) (as amended (20.7.2007) by [S.I. 2007/1846](#), reg. 3(2), Sch.)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21A inserted by [2007 c. 17 s. 54\(1\)](#)