

**Changes to legislation:** Estate Agents Act 1979, Paragraph 1 is up to date with all changes known to be in force on or before 08 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

### [<sup>F1</sup>SCHEDULE 4

#### PENALTY NOTICES UNDER SECTION 23B(1)

##### Textual Amendments

**F1** Sch. 4 inserted (12.10.2007) by Consumers, Estate Agents and Redress Act 2007 (c. 17), s. 66(2), **Sch. 6 para. 4**; S.I. 2007/2934, art. 3, Sch.

- 1 A penalty charge notice given to a person under section 23B(1) by a duly authorised officer of an enforcement authority <sup>F2</sup>... must—
- (a) state the officer's belief that that person has committed a breach of the duty imposed by an order under section 23A(1);
  - (b) give such other particulars of the circumstances as may be necessary to give reasonable notice of the breach of duty;
  - (c) require that person, within a period specified in the notice—
    - (i) to pay a penalty charge specified in the notice; or
    - (ii) to give notice to the enforcement authority that he wishes to review the notice;
  - (d) state the effect of paragraph 8;
  - (e) specify the person to whom and the address at which the penalty charge may be paid and the method or methods by which payment may be made; and
  - (f) specify the person to whom and the address at which a notice requesting a review may be sent (and to which any representations relating to the review may be addressed).]

##### Textual Amendments

**F2** Words in Sch. 4 para. 1 omitted (31.3.2014) by virtue of 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(15)(a)** (with Sch. 1 para. 28, 2 paras. 13-15)

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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\(1\)](#)