



Estate Agents Act 1979

1979 CHAPTER 38

Clients' money and accounts

17 Exemptions from section 16

- (1) If, on an application made to him in that behalf, the Director considers that a person engaged in estate agency work may, without loss of adequate protection to consumers, be exempted from all or any of the provisions of subsection (1) of section 16 above or of regulations under subsection (2) of that section, he may issue to that person a certificate of exemption under this section.
- (2) An application under subsection (1) above—
 - (a) shall state the reasons why the applicant considers that he should be granted a certificate of exemption; and
 - (b) shall be accompanied by the prescribed fee.
- (3) A certificate of exemption under this section—
 - (a) may impose conditions of exemption on the person to whom it is issued ;
 - (b) may be issued to have effect for a period specified in the certificate or without limit of time.
- (4) If and so long as—
 - (a) a certificate of exemption has effect, and
 - (b) the person to whom it is issued complies with any conditions of exemption specified in the certificate,that person shall be exempt, to the extent so specified, from the provisions of subsection (1) of section 16 above and of any regulations made under subsection (2) of that section.
- (5) If the Director decides to refuse an application under subsection (1) above he shall give the applicant notice of his decision and of the reasons for it, including any facts which in his opinion justify the decision.
- (6) If a person who made an application under subsection (1) above is aggrieved by a decision of the Director—

Status: This is the original version (as it was originally enacted).

- (a) to refuse his application, or
 - (b) to grant him a certificate of exemption subject to conditions,
- he may appeal against the decision to the Secretary of State; and subsections (2) to (6) of section 7 above shall apply to such an appeal as they apply to an appeal under that section.
- (7) A person who fails to comply with any condition of exemption specified in a current certificate of exemption issued to him shall be liable on conviction on indictment or on summary conviction to a fine which, on summary conviction, shall not exceed the statutory maximum.