



Consumers, Estate Agents and Redress Act 2007

2007 CHAPTER 17

PART 2

COMPLAINTS HANDLING AND REDRESS SCHEMES

Requirements relating to redress schemes

48 Membership of redress schemes: supplementary

(1) In this Part—

“qualifying redress scheme” means a redress scheme within paragraph (a) or (b) of section 47(1);

“redress scheme” means a scheme under which consumer complaints may be made to, and investigated and determined by, an independent person (“the independent person”);

“scheme administrator”, in relation to a redress scheme, means the person who administers the scheme,

and references to approval of a redress scheme are to approval of the scheme for the purposes of section 47(1)(a).

(2) In the definition of “redress scheme”, “independent”, in relation to a consumer complaint, means independent of—

- (a) the regulated provider against whom the complaint is made, and
- (b) the regulator who is the relevant regulator in relation to the regulated provider.

(3) Nothing in this Part prevents a qualifying redress scheme providing—

- (a) for membership to be open to persons who are not subject to any duty to belong to a qualifying redress scheme;

Changes to legislation: Consumers, Estate Agents and Redress Act 2007, Section 48 is up to date with all changes known to be in force on or before 11 May 2024. 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](#)

- (b) for the investigation and determination of complaints other than those in relation to which such a duty applies, made against members who have voluntarily accepted the jurisdiction of the scheme over such complaints.
- (4) For the purposes of the law relating to defamation, proceedings under a qualifying redress scheme (in relation to a consumer complaint and a regulated provider to which an order under section 47 applies) are to be treated in the same way as proceedings before a court.

Commencement Information

II S. 48 in force at 21.12.2007 by [S.I. 2007/3546](#), art. 3, [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. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(a\)](#)
- s. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(b\)](#)