

**WRITTEN QUESTION TO THE  
MINISTER FOR ECONOMIC DEVELOPMENT, TOURISM, SPORT AND CULTURE  
BY DEPUTY J.M. MAÇON OF ST. SAVIOUR  
ANSWER TO BE TABLED ON TUESDAY 12th FEBRUARY 2019**

**Question**

What plans, if any, does the Minister and his department have to develop regulation around the estate agency industry and to ensure that National Estate Agency Association qualifications should be a minimum standard for practitioners; and if there are no such plans, will the Minister explain why not?

**Answer**

The Minister does not have plans to develop further regulation of estate agents at this time.

The Consumer Protection (Unfair Practices) (Jersey) Law 2018 came into force in June 2018 which, for the first time, provides a comprehensive framework for the protection of consumers against unfair commercial practices. The Law extends to consumers who engage the services of estate agents, including to sell and to purchase property.

The Law enables Trading Standards to tackle unfair commercial practices, including:

- misleading advertisements and listings;
- misleading omissions where a business has failed to provide the consumer with important material information in good time;
- aggressive practices;
- banned practices, and
- failure to act in accordance with professional diligence.

The Law will, as a result, support estate agents to adopt good practice in their business activities, and enable Trading Standards to deal with estate agents who do not comply with the specified standards of practice.

The Minister is of the opinion that the legislation requires time to embed itself within the industry before further regulation is considered. This reflects the approach set out by the Chief Minister in his response to the Residential Property Transactions Review Panel (S.R.2/2018).

The Minister's preference is for industry-led self-regulation, and many estate agents in Jersey already adopt good practice. A number of estate agents are, for example, already members of representative trade bodies such as the National Estate Agency Association, and will comply with industry-led standards. These include requirements in relation to qualifications for staff members to make sure they are appropriately qualified to carry out estate agent activities.

Moreover, Trading Standards is working closely with Environmental Health to deliver a series of 'Breakfast Bites' workshops to relevant business sectors to inform and educate. This includes events held this month with Letting Agents. Further workshops are also planned.