

Status: Point in time view as at 28/02/1997.

Changes to legislation: Housing Act 1996, Cross Heading: Arrangement, reconstruction, &c. of company is up to date with all changes known to be in force on or before 17 August 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)

SCHEDULES

SCHEDULE 1

REGISTERED SOCIAL LANDLORDS: REGULATION

PART II

CONSTITUTION, CHANGE OF RULES, AMALGAMATION AND DISSOLUTION

Arrangement, reconstruction, &c. of company

- 13 (1) This paragraph applies to a company registered under the ^{M1}Companies Act 1985 whose registration as a social landlord has been recorded by the registrar of companies.
- (2) An order of the court given for the purposes of section 425 of the Companies Act 1985 (compromise or arrangement with creditors or members) is not effective unless the Corporation has given its consent.
- A copy of the consent shall be sent to the registrar of companies along with the office copy of the order delivered to him under that section.
- (3) An order of the court given for the purposes of section 427 of the Companies Act 1985 (transfer of undertaking or property for purposes of reconstruction or amalgamation) is not effective unless the Corporation has given its consent.
- A copy of the consent shall be sent to the registrar of companies along with the office copy of the order delivered to him under that section.
- (4) The registrar of companies shall not register any resolution under section 53 of the Industrial and Provident Societies Act 1965 (conversion of company into industrial and provident society), unless, together with the copy of the resolution, there is sent to him a copy of the Corporation's consent to the conversion.
- (5) Where a director, administrator or liquidator of the company proposes to make a voluntary arrangement with the company's creditors under section 1 of the ^{M2}Insolvency Act 1986, the arrangement shall not take effect under section 5 (effect of approval by members and creditors) of that Act unless the Corporation has given its consent to the voluntary arrangement.
- (6) If the company resolves by special resolution that it be wound up voluntarily under the Insolvency Act 1986, the resolution has no effect unless—
- (a) before the resolution was passed the Corporation gave its consent to its passing, and

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- (b) a copy of the consent is forwarded to the registrar of companies together with a copy of the resolution required to be so forwarded in accordance with section 380 of the Companies Act 1985.
- (7) The references in this paragraph to the Corporation's consent are to consent given by order under the seal of the Corporation.
- (8) Where sub-paragraph (3) or (4) applies, the transferee or, as the case may be, any new body created by the conversion shall be deemed to be registered as a social landlord forthwith upon the transfer or conversion taking effect.

Marginal Citations

M1 1985 c. 6.

M2 1986 c. 45.

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