



# Enterprise Act 2002 (repealed)

## 2002 CHAPTER 40

### PART 10

#### INSOLVENCY

##### *Companies etc.*

#### **255 Application of law about company arrangement or administration to non-company**

- (1) The Treasury may with the concurrence of the Secretary of State by order provide for a company arrangement or administration provision to apply (with or without modification) in relation to—
- a society registered under the Industrial and Provident Societies Act 1965 (c. 12),
  - a society registered under section 7(1)(b), (c), (d), (e) or (f) of the Friendly Societies Act 1974 (c. 46),
  - a friendly society within the meaning of the Friendly Societies Act 1992 (c. 40), or
  - an unregistered friendly society.
- (2) In subsection (1) “company arrangement or administration provision” means—
- a provision of Part I of the Insolvency Act 1986 (company voluntary arrangements),
  - a provision of Part II of that Act (administration), and
  - [<sup>F1</sup>Part 26 of the Companies Act 2006] (c. 6) (compromise or arrangement with creditors).
- (3) An order under this section may not provide for a company arrangement or administration provision to apply in relation to a society which is [<sup>F2</sup>—
- a private registered provider of social housing, or
  - registered as a social landlord under Part I of the Housing Act 1996 (c. 52) or under Part 3 of the Housing (Scotland) Act 2001 (asp 10).

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*Status: Point in time view as at 01/04/2010. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002 (repealed), Section 255. (See end of Document for details)*

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- (4) An order under this section—
- (a) may make provision generally or for a specified purpose only,
  - (b) may make different provision for different purposes, and
  - (c) may make transitional, consequential or incidental provision.
- (5) Provision by virtue of subsection (4)(c) may, in particular—
- (a) apply an enactment (with or without modification);
  - (b) amend an enactment.
- (6) An order under this section—
- (a) must be made by statutory instrument, and
  - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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#### **Textual Amendments**

- F1** Words in s. 255(2)(c) substituted (6.4.2008) by [The Companies Act 2006 \(Consequential Amendments etc\) Order 2008 \(S.I. 2008/948\)](#), art. 2(2), **Sch. 1 para. 225** (with arts. 6, 11, 12)
- F2** Words in s. 255(3) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 119** (with art. 6, Sch. 3)

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#### **Textual Amendments applied to the whole legislation**

- F1** Act: for the words "solicitor of the Supreme Court of Northern Ireland" wherever they occur there is substituted (prosp.) the words "solicitor of the Court of Judicature of Northern Ireland" by virtue of [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148(1), **Sch. 11 para. 5** [Editorial Note: this amendment will be carried through into the text of the Act at the same time as any other effects on the Act for the year in which the relevant commencement order (or first such order) is made]

**Status:**

Point in time view as at 01/04/2010. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Enterprise Act 2002 (repealed), Section 255.