



# Housing and Regeneration Act 2008

## 2008 CHAPTER 17

### PART 2

#### REGULATION OF SOCIAL HOUSING

#### CHAPTER 4

#### REGISTERED PROVIDERS

#### *Insolvency etc.*

#### 153 Proposals: procedure

- (1) Before making proposals the regulator shall consult—
  - (a) the registered provider,
  - (b) its tenants (so far as is reasonably practicable),
  - (c) if the registered provider is [<sup>F1</sup>a registered society], the [<sup>F2</sup>Financial Conduct Authority], and
  - (d) if the registered provider is a registered charity, the Charity Commission.
- (2) The regulator shall send a copy of proposals to—
  - (a) the registered provider and its officers,
  - (b) such of its secured creditors as the regulator is able to locate after making reasonable enquiries, and
  - (c) any liquidator, administrator, administrative receiver or receiver appointed in respect of the registered provider or any of its land.
- (3) The regulator shall also make arrangements for bringing proposals to the attention of—
  - (a) the registered provider's members,
  - (b) its tenants, and
  - (c) its unsecured creditors.

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*Status: Point in time view as at 01/08/2014. This version of this provision has been superseded.*

*Changes to legislation: Housing and Regeneration Act 2008, Section 153 is up to date with all changes known to be in force on or before 26 June 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)*

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- (4) If each secured creditor to whom proposals were sent agrees to the proposals by notice to the regulator, the proposals have effect.
- (5) Proposals may be agreed with modifications if—
- (a) each secured creditor to whom the proposals were sent consents by notice to the regulator, and
  - (b) the regulator consents.
- (6) The regulator shall send a copy of agreed proposals to—
- (a) the registered provider and its officers,
  - (b) its secured creditors to whom the original proposals were sent,
  - (c) any liquidator, administrator, administrative receiver or receiver appointed in respect of the registered provider or any of its land,
  - (d) if the registered provider is [<sup>F1</sup>a registered society], the [<sup>F3</sup>Financial Conduct Authority], and
  - (e) if the registered provider is a registered charity, the Charity Commission.
- (7) The regulator shall also make arrangements for bringing agreed proposals to the attention of—
- (a) the registered provider's members,
  - (b) its tenants, and
  - (c) its unsecured creditors.
- (8) Proposals may be amended by agreement between the secured creditors to whom the original proposals were sent and the regulator; and this section and section 152 apply to an amendment as to the original proposals.

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#### Textual Amendments

- F1** Words in Act substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), s. 154, [Sch. 4 para. 122](#) (with [Sch. 5](#))
- F2** Words in s. 153(1)(c) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 11 para. 8\(2\)](#), [\(3\)\(b\)](#) (with [Sch. 12](#))
- F3** Words in s. 153(6)(d) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 11 para. 8\(2\)](#), [\(3\)\(b\)](#) (with [Sch. 12](#))
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#### Commencement Information

- I1** S. 153 in force at 1.4.2010 by [S.I. 2010/862](#), [art. 2](#) (with [Sch.](#))

**Status:**

Point in time view as at 01/08/2014. This version of this provision has been superseded.

**Changes to legislation:**

Housing and Regeneration Act 2008, Section 153 is up to date with all changes known to be in force on or before 26 June 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.