



# Co-operative and Community Benefit Societies and Credit Unions Act 2010

## 2010 CHAPTER 7

### *Co-operative and community benefit societies*

#### **4 Power to apply certain other provisions relating to companies**

- (1) The Treasury may by regulations—
  - (a) make provision applying to societies registered under the Industrial and Provident Societies Act 1965 (c. 12) any provision mentioned in subsection (2), or
  - (b) make provision for such societies corresponding to any such provision, in either case, with such modifications as appear to the Treasury to be appropriate.
- (2) The provisions are—
  - (a) Parts 14 and 15 of the Companies Act 1985 (c. 6) (investigations);
  - (b) Part 5 of the Companies Act 2006 (c. 46) (company names);
  - (c) Part 31 of that Act (dissolution and restoration to the register).
- (3) Regulations made by virtue of subsection (2)(a) may amend or repeal the following provisions—
  - (a) section 47 of the Industrial and Provident Societies Act 1965 (c. 12) (inspection of books by order of [<sup>F1</sup>appropriate authority]);
  - (b) section 48 of that Act (production of documents and provision of information);
  - (c) section 49 of that Act (appointment of inspectors and calling of special meeting), so far as relating to the appointment of inspectors.
- (4) Regulations made by virtue of subsection (2)(b) may amend or repeal section 5 of the Industrial and Provident Societies Act 1965 (name of society).
- (5) Regulations made by virtue of subsection (2)(c) may amend or repeal the following provisions of the Industrial and Provident Societies Act 1965—
  - (a) section 16(1)(a)(iii) (cancellation of registration: society having ceased to exist);

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*Status: Point in time view as at 01/12/2013. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Co-operative and Community Benefit Societies and Credit Unions Act 2010, Section 4. (See end of Document for details)*

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- (b) section 59 (restriction on dissolution or cancellation of registration).
- (6) Subsections (3) to (5) above are not to be read as restricting the power conferred by section 6 of this Act (general power to make consequential amendments).
- (7) Regulations under this section may—
  - (a) confer power to make orders, regulations and other subordinate legislation;
  - (b) create criminal offences, but only—
    - (i) in circumstances corresponding to an offence under the Companies Acts, and
    - (ii) subject to a maximum penalty no greater than is provided for in respect of the corresponding offence;
  - (c) provide for the charging of fees, but not any charge in the nature of taxation.
- (8) Before making any regulations under this section the Treasury must consult such persons as appear to them to be appropriate.

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**Textual Amendments**

- F1** Words in s. 4(3)(a) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), art. 1(1), [Sch. 11 para. 9](#) (with Sch. 12)

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**Commencement Information**

- I1** [S. 4](#) in force at 1.12.2013 by [S.I. 2013/2936](#), [art. 2](#)

**Status:**

Point in time view as at 01/12/2013. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Co-operative and Community Benefit Societies and Credit Unions Act 2010, Section 4.