
STATUTORY INSTRUMENTS

2006 No. 2864

**The Real Estate Investment Trusts
(Breach of Conditions) Regulations 2006**

General provisions about breaches under sections 106 to 108

Multiple breaches of separate conditions

- 8.**—(1) This regulation applies in relation to a company to which Part 4 applies where—
- (a) there has been a breach of at least two of the conditions in sections 106 to 108; and
 - (b) at least one of the conditions breached is contained in a different section from that containing another of those breached.
- (2) For the purposes of section 129(2)(a)—
- (a) the specified number of occasions on which the company can rely on regulation 2, 3, 5 or 7 of these Regulations is four;
 - (b) the specified period is the ten year period beginning on the day on which the company first failed to satisfy the condition set out in section 106(5), or (6), 107 or 108 and ending on the day immediately before the ten year anniversary of that period; and
 - (c) in reckoning the number of breaches of sections 106 to 108, breaches of Condition 3 or 4 in section 106 in consequence of a company to which Part 4 applies becoming part of a group (or of another group) to which that Part applies shall be disregarded.

Breach of condition — information requirements

- 9.**—(1) This regulation applies if a company fails to satisfy a requirement set out in section 106(5) or (6), 107 or 108 (“a relevant failure”).
- (2) Once a company becomes aware of a relevant failure it must provide the Commissioners as soon as reasonably practicable with the following information—
- (a) the date on which the requirement first ceased to be met and the date (if any) on which the requirement was satisfied again;
 - (b) details of the requirement that was breached;
 - (c) the nature of the breach; and
 - (d) what (if anything) the company has done to avoid the breach recurring.