

## SCHEDULE 8 INSOLVENCY ETC. OF REGISTERED SOCIAL LANDLORDS

### *Powers of the manager*

- 9 (1) A manager appointed under paragraph 8(1) has power generally to do all such things as are necessary for carrying out the manager's functions.
- (2) That power includes, in particular, power—
- (a) to take possession of the land held by the landlord and for that purpose to raise any legal proceedings which the manager thinks fit,
  - (b) to sell or otherwise dispose of the land by public auction or private contract,
  - (c) to raise or borrow money and for that purpose to grant security over the land,
  - (d) to appoint a solicitor or accountant or other professionally qualified person to assist in the performance of the manager's functions,
  - (e) to raise or defend legal proceedings relating to the land in the name and on behalf of the landlord,
  - (f) to refer to arbitration any question affecting the land,
  - (g) to effect and maintain insurance in respect of the land,
  - (h) where the landlord is a body corporate, to use the seal of the body corporate for purposes relating to the land,
  - (i) to do all acts and to execute in the name of the landlord any deed or other document relating to the land,
  - (j) to appoint an agent to do anything which the manager is unable to do personally or which can more conveniently be done by an agent, and to employ and dismiss any employees,
  - (k) to do all such things (including the carrying out of works) as may be necessary in connection with the management or transfer of the land,
  - (l) to make any payment which is necessary for, or incidental to, the performance of the manager's functions,
  - (m) to carry on the business of the landlord so far as relating to the management or transfer of the land,
  - (n) to grant or accept a renunciation of a lease or tenancy of any of the land, and to enter into a lease or tenancy of any property required or convenient for the landlord's housing activities,
  - (o) to make any arrangement or compromise on behalf of the landlord in relation to the management or transfer of the land,
  - (p) to do all other things incidental to the exercise of any of the above powers.
- (3) In carrying out functions the manager acts as the landlord's agent; and the manager is not personally liable on a contract entered into as manager.
- (4) A person dealing with the manager in good faith and for value is not concerned to inquire whether the manager is acting within the powers conferred by virtue of this paragraph.
- (5) The manager must, so far as practicable, consult the landlord's tenants about any proposed exercise of the manager's powers which is likely to affect them and, if the proposed exercise takes place, inform them of its effect.