

Changes to legislation: Building Societies Act 1986, Part II is up to date with all changes known to be in force on or before 03 June 2023. 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) View outstanding changes

SCHEDULES

SCHEDULE 17

TRANSFERS OF BUSINESS: SUPPLEMENTARY PROVISIONS

Modifications etc. (not altering text)

- C1** Sch. 17: power to modify conferred (16.1.2009) by [Building Societies \(Funding\) and Mutual Societies \(Transfers\) Act 2007 \(c. 26\)](#), **ss. 3, 6(2)**; S.I. 2009/36, **art. 2**
- C1** Sch. 17 applied (with modifications) (5.3.2009) by [The Mutual Societies \(Transfers\) Order 2009 \(S.I. 2009/509\)](#), **arts. 1(2), 3-18**

PART II

CONFIRMATION BY [F1APPROPRIATE AUTHORITY] : PROCEDURE

Textual Amendments

- F1** Words in Sch. 17 substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013 \(S.I. 2013/496\)](#), **art. 1(1), Sch. 8 para. 60(2)** (with Sch. 12)

- 6 An application by a building society for confirmation by the [F1appropriate authority] of a transfer of its business tschedule 16o a company shall be made in such manner as the [F1appropriate authority] may [F2direct].

Textual Amendments

- F2** Word in Sch. 17 para. 6 substituted (17.8.2001 for certain purposes and otherwise 1.12.2001) by [S.I. 2001/2617](#), **arts. 2, 8, 13(1), Sch. 3 Pt. II para. 212(d)** (with **art. 13(3), Sch. 5**); [S.I. 2001/3538](#), **art. 2**

- 7 (1) Where a building society applies for confirmation of a transfer of its business, the society shall publish a notice of the application in any one or more of the London Gazette, the Edinburgh Gazette or the Belfast Gazette, as the [F1appropriate authority] directs and, if it so directs, in one or more newspapers.
- (2) A notice published in pursuance of sub-paragraph (1) above shall—
- (a) state that any interested party has the right to make representations to the [F1appropriate authority] with respect to the application;
 - (b) specify a date determined by the [F1appropriate authority] before which any written representations or notice of a person’s intention to make oral representations must be received by the [F1appropriate authority]; and
 - (c) specify a date determined by the [F1appropriate authority] as the day on which it intends to hear any oral representations.

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- 8 (1) After the date specified in the notice in pursuance of paragraph 7(2)(b) above, the Commission shall—
- (a) determine the time and place at which oral representations may be made;
 - (b) give notice of that determination to the building society making the transfer and any persons who have given notice of their intention to make oral representations; and
 - (c) send copies of the written representations received by the Commission to the building society making the transfer.
- (2) The Commission shall allow the building society making the transfer an opportunity to comment on the written representations, whether at a hearing or in writing, before the expiration of such period as the Commission specifies in a notice to the society.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(11)-(14) inserted by [2007 c. 26 s. 1\(2\)](#)
- s. 5(13)(a) substituted by [S.I. 2013/496 Sch. 8 para. 4\(4\)](#)
- s. 7(6A)-(6C) inserted by [2007 c. 26 s. 1\(1\)\(a\)](#)
- s. 7(8A) inserted by [2007 c. 26 s. 1\(1\)\(c\)](#)
- s. 176ZB excluded by [S.I. 2017/400 reg. 14](#)
- s. 246ZA-246ZC excluded by [S.I. 2017/400 reg. 15](#)
- s. 246ZD excluded by [S.I. 2017/400 reg. 16](#)