



2020 CHAPTER 5

Restrictions on exercise of certain powers of registered housing associations

6.—(1) Article 29 of the 1992 Order (restrictions on exercise of certain powers of registered housing associations) is amended as follows.

(2) In paragraph (2), for the words from “unless” to the end substitute “unless—

- (a) a copy of the special resolution has been sent to the Department, and
- (b) a copy of a certificate from the Department confirming that subparagraph (a) has been complied with is sent to the registrar together with the copy of the special resolution required to be sent as mentioned in section 59(4) of that Act.”.

(3) In paragraph (4), for the words from “unless” to the end substitute “unless—

- (a) before the resolution was passed the Department was notified of the intention to propose the resolution, and
- (b) a copy of a certificate from the Department confirming that subparagraph (a) has been complied with is sent to the registrar together with a copy of the resolution required to be sent as mentioned in section 64(3) of the 1969 Act.”.

(4) In paragraph (5), for the words from “unless” to the end substitute “unless—

- (a) a copy of the instrument of dissolution has been sent to the Department, and
- (b) a copy of a certificate from the Department confirming that subparagraph (a) has been complied with is sent to the registrar together

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with the instrument of dissolution required to be sent as mentioned in section 67(4).”.

(5) For paragraph (6) substitute—

“(6) Section 9 of the Act of 1969 has effect in relation to a registered housing association with the following modifications.

(7) For subsection (1) substitute—

“(1) Subject to subsection (2), any amendment of a society’s rules as for the time being registered under this Act shall not be valid until the amendment has been—

- (a) sent to the Department for Communities, and
- (b) registered under this Act.

(1A) For the purpose of registering the amendment as required by subsection (1)(b), there must be sent to the registrar—

- (a) a copy of a certificate from the Department for Communities confirming that subsection (1)(a) has been complied with, and
- (b) two copies of the amendment signed—
 - (i) in the case of a society for the time being consisting solely of registered societies, by the secretary of the society and by the secretary of each (or, if more than two, of each of any two) of the constituent societies;
 - (ii) in any other case, by three members and the secretary of the society.”.

(8) In subsection (2), before paragraph (a) insert—

“(za) notice of any such change shall be sent to the Department for Communities;”.”.