
Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 3

COMMONHOLD ASSOCIATION

PART 1

[^{F1}ARTICLES OF ASSOCIATION]

Textual Amendments

- F1** Words in *Sch. 3 Pt. 1* heading substituted (1.10.2009) by *The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941)*, **Sch. 1 para. 195(2)**

Introduction

- [^{F2}1 In this Schedule “articles” means the articles of association of a commonhold association.]

Textual Amendments

- F2** *Sch. 3 para. 1* substituted (1.10.2009) by *The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941)*, **Sch. 1 para. 195(3)**

Form and content

- 2 (1) Regulations shall make provision about the form and content of [^{F3}the articles].
- (2) A commonhold association may adopt provisions of the regulations for its [^{F4}articles].
- (3) The regulations may include provision which is to have effect for a commonhold association whether or not it is adopted under sub-paragraph (2).
- (4) A provision of the [^{F4}articles] shall have no effect to the extent that it is inconsistent with the regulations.
- (5) Regulations under this paragraph shall have effect in relation to [^{F5}articles]—
- (a) irrespective of the date of the [^{F6}articles], but
- (b) subject to any transitional provision of the regulations.
- [^{F7}(6) Section 20 of the Companies Act 2006 (default application of model articles) does not apply to a commonhold association.]

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Textual Amendments

- F3** Words in Sch. 3 para. 2(1) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(4)(a)**
- F4** Words in Sch. 3 para. 2(2)(4) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(4)(b)**
- F5** Words in Sch. 3 para. 2(5) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(4)(c)(i)**
- F6** Words in Sch. 3 para. 2(5)(a) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(4)(c)(ii)**
- F7** Sch. 3 para. 2(6) inserted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(4)(d)**

Alteration

- 3 (1) [^{F8}Where a commonhold association alters its [^{F9}articles] at a time when the land [^{F10}specified in its articles] is commonhold land, the alteration] shall have no effect until the altered version is registered in accordance with this paragraph.
- (2) If the commonhold association makes an application under this sub-paragraph the Registrar shall arrange for [^{F11}altered articles] to be kept in his custody, and referred to in the register, in place of the unaltered version.
- (3) An application under sub-paragraph (2) must be accompanied by a certificate given by the directors of the commonhold association that the altered [^{F12}articles] comply with regulations under paragraph 2(1).
- (4) Where the Registrar amends the register on an application under sub-paragraph (2) he shall make any consequential amendments to the register which he thinks appropriate.

Textual Amendments

- F8** Words in Sch. 3 para. 3(1) substituted (1.10.2009) by Companies Act 2006 (c. 46), **ss. 1283, 1300(2); S.I. 2008/2860, art. 3(y)** (with arts. 5, 7, 8, Sch. 2)
- F9** Words in Sch. 3 para. 3(1) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(5)(a)(i)**
- F10** Words in Sch. 3 para. 3(1) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(5)(a)(ii)**
- F11** Words in Sch. 3 para. 3(2) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(5)(b)**
- F12** Words in Sch. 3 para. 3(3) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(5)(c)**

Disapplication of Companies Act 1985

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Textual Amendments

F13 Sch. 3 para. 4 omitted (1.10.2009) by virtue of The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **Sch. 1 para. 195(6)**

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