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Changes to legislation: Housing Act 2004, Paragraph 18 is up to date with all changes known to be in force on or before 09 June 2024. 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 11

REGISTERED SOCIAL LANDLORDS

Housing Act 1996 (c. 52)

After paragraph 16 of Schedule 1 insert—

"Companies exempt from audit requirements: accountant's report

- 16A (1) This paragraph applies to registered social landlords which are companies registered under the Companies Act 1985 ("RSL companies").
 - (2) In section 249A of the Companies Act 1985 (exemptions from audit)—
 - (a) subsection (2) shall apply in relation to an RSL company which meets the total exemption conditions in respect of a financial year (whether it is a charity or not), and
 - (b) that subsection shall apply in relation to such a company in the same way as it applies in relation to an RSL company which is a charity and meets the report conditions in relation to a financial year; and
 - (c) subsection (1) accordingly does not have effect in relation to an RSL company.
 - (3) In section 249C of that Act (report required for the purposes of section 249A(2)), subsection (3) shall apply in relation to an RSL company within sub-paragraph (2)(a) above as if the reference to satisfying the requirements of section 249A(4) were a reference to meeting the total exemption conditions.
 - (4) The Relevant Authority may, in respect of any relevant financial year of an RSL company, give a direction to the company requiring it—
 - (a) to appoint a qualified auditor to audit its accounts and balance sheet for that year, and
 - (b) to furnish to the Relevant Authority a copy of the auditor's report by such date as is specified in the direction.
 - (5) For the purposes of sub-paragraph (4), a financial year of an RSL company is a "relevant financial year" if—
 - (a) it precedes that in which the direction is given, and
 - (b) the company met either the total exemption conditions or the report conditions in respect of that year, and
 - (c) its accounts and balance sheet for that year were not audited in accordance with Part 7 of the Companies Act 1985.

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(6) In this paragraph—

- (a) "financial year" has the meaning given by section 223 of the Companies Act 1985;
- (b) "qualified auditor" means a person who is eligible for appointment as auditor of the company under Part 2 of the Companies Act 1989;
- (c) any reference to a company meeting the report conditions is to be read in accordance with section 249A(4) of the Companies Act 1985; and
- (d) any reference to a company meeting the total exemption conditions is to be read in accordance with section 249A(3) or section 249A(3) and (3A) of that Act, depending on whether it is a charity."

Changes to legislation:

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

 Act savings and transitional provisions for amendments by S.I. 2022/1166 by S.I. 2022/1172 Regulations

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

- s. 66(1A) inserted by 2016 c. 22 s. 125(3)(a)
- s. 66(3A)(3B) inserted by 2016 c. 22 s. 125(3)(c)
- s. 89(1A) inserted by 2016 c. 22 s. 125(6)(a)
- s. 89(3A)(3B) inserted by 2016 c. 22 s. 125(6)(c)
- s. 139(7A)(7B) inserted by 2016 c. 22 s. 127(3)