



Social Housing (Regulation) Act 2023

2023 CHAPTER 36

Registered providers: insolvency, restructuring etc

PROSPECTIVE

17 Restructuring of registered societies

- (1) The Housing and Regeneration Act 2008 is amended as follows.
- (2) In section 163 (registered society: restructuring) omit subsections (5) to (8).
- (3) After section 163 insert—

“163A Restructuring of registered societies: registration of successor bodies

- (1) This section applies where —
 - (a) a registered provider notifies the regulator of a resolution passed by the provider for the purposes of section 109 of the Co-operative and Community Benefit Societies Act 2014 (amalgamation of societies);
 - (b) a registered provider notifies the regulator of a resolution passed by the provider for the purposes of section 112(1)(b) of that Act (amalgamation of society and company);
 - (c) a registered provider notifies the regulator of a resolution passed by the provider for the purposes of section 110 of that Act (transfer of engagements between societies) and the society to which engagements are transferred is not a registered provider;
 - (d) a registered provider notifies the regulator of a resolution passed by the provider for the purposes of section 112(1)(c) of that Act (transfer of engagements between society and company) and the company to which engagements are transferred is not a registered provider.

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Social Housing (Regulation) Act 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) When the resolution mentioned in subsection (1) (“the relevant resolution”) takes effect, the regulator must decide whether the successor body is eligible for registration under section 112.
- (3) “The successor body” means—
 - (a) if the relevant resolution is a resolution described in paragraph (a) or (b) of subsection (1), the body created by virtue of that resolution or by virtue of that resolution and other resolutions described in that paragraph, and
 - (b) if the relevant resolution is a resolution described in paragraph (c) or (d) of subsection (1), the body to which engagements are transferred by virtue of the resolution.
- (4) If the successor body is eligible for registration, the regulator must register it and notify it that it has done so.
- (5) If the successor body is not eligible for registration, the regulator must notify it of that fact.
- (6) Pending registration, or notification that it is not eligible for registration, the successor body is to be treated as if it were registered and designated as a non-profit organisation.”

Commencement Information

- II** S. 17 not in force at Royal Assent, see [s. 46\(3\)](#)

Status:

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Changes and effects yet to be applied to :

- s. 17 coming into force by [S.I. 2024/437 reg. 2\(j\)](#)