



# Housing (Scotland) Act 2010

## 2010 asp 17

### PART 8

REGISTERED SOCIAL LANDLORDS: ORGANISATIONAL CHANGE ETC.

*Companies: restructuring and winding up*

#### [<sup>F1</sup>102 Conversion of company into a registered society

- (1) This section applies in relation to the conversion of the company into a registered society under section 115 of the Co-operative and Community Benefit Societies Act 2014.
- (2) The company must consult its tenants on the proposed conversion before passing a special resolution for the conversion of the company into a registered society under section 115 of that Act.
- (3) Such a special resolution has effect only if—
  - (a) the company confirms that it consulted its tenants as mentioned in subsection (2), and
  - (b) a copy of the confirmation accompanies the resolution sent to the registrar of companies in accordance with section 115(5) of the Co-operative and Community Benefit Societies Act 2014.
- (4) The company must, as soon as reasonably practicable after sending the resolution to the registrar of companies, give notice of the conversion to the Regulator.
- (5) The new registered society created in pursuance of the resolution is to be included in the register (and is to be treated as so included pending such inclusion).
- (6) The Regulator must issue guidance in relation to consultation for the purpose of subsection (2).
- (7) A company must, in consulting tenants for that purpose, have regard to guidance issued under subsection (6).]

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**Changes to legislation:** There are currently no known outstanding effects for the  
Housing (Scotland) Act 2010, Section 102. (See end of Document for details)

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#### Textual Amendments

- F1** S. 102 substituted (8.3.2019) by [Housing \(Amendment\) \(Scotland\) Act 2018 \(asp 13\)](#), ss. **6(10)**, 11(2);  
[S.S.I. 2018/253](#), reg. 2(2) (with reg. 8)

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Section 102.