
DRAFT STATUTORY INSTRUMENTS

2006 No.

**The Community Benefit Societies (Restriction
on Use of Assets) Regulations 2006**

PART 4

Enforcement measures

Court orders

15.—(1) If, on the application of the Authority, the court is satisfied that—

- (a) there is a reasonable likelihood that a prescribed community benefit society will contravene regulation 3; or
- (b) a prescribed community benefit society is contravening or has contravened regulation 3 and there is a reasonable likelihood that the contravention will continue or be repeated,

the court may make an order restraining (or in Scotland an interdict prohibiting) the contravention by the society.

(2) If, on the application of the Authority, the court is satisfied that—

- (a) an officer of a prescribed community benefit society is likely to be knowingly concerned in a contravention of regulation 3; or
- (b) an officer of a prescribed community benefit society is or has been knowingly concerned in a contravention of regulation 3 and there is a reasonable likelihood that the contravention will continue or be repeated,

the court may make an order requiring him to take such steps as the court may direct to prevent the contravention or bring it to an end.

(3) The jurisdiction conferred by this regulation is exercisable by the High Court or, in the case of a society whose registered office is situated in Scotland, the Court of Session.

(4) Nothing in this regulation affects the right of any person other than the Authority to bring proceedings in respect of the matters to which these Regulations apply.