



Housing Act 1996

1996 CHAPTER 52

PART I

[^{F1}SOCIAL RENTED SECTOR [^{F1}REGULATED BY THE WELSH MINISTERS]]

[^{F1}CHAPTER 1A

BOARD MEMBERSHIP AND VOTING RIGHTS

Wholly controlled subsidiaries: power to disapply this Chapter

[^{F1}7J Power to disapply provisions of this Chapter

- (1) The Welsh Ministers may by order provide that provisions of this Chapter specified in the order are not to apply to registered social landlords that are wholly controlled local authority subsidiaries.
- (2) A registered social landlord is a wholly controlled local authority subsidiary if—
 - (a) it is a company or registered society;
 - (b) all of its members are within subsection (3), and
 - (c) one or more of the conditions in subsection (4) (in the case of a company) or in subsection (5) (in the case of a registered society) is met.
- (3) A person is within this subsection if the person is—
 - (a) a local authority;
 - (b) a company or registered society that is a subsidiary of a local authority (see subsection (6));
 - (c) a person acting on behalf of a person within paragraph (a) or (b).
- (4) The conditions are—
 - (a) a local authority has power to appoint or remove all or a majority of the board of directors;

Status: Point in time view as at 15/08/2018.

Changes to legislation: Housing Act 1996, Section 7J is up to date with all changes known to be in force on or before 19 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)

- (b) a local authority holds more than half in nominal value of the company's equity share capital;
 - (c) the company is a subsidiary, within the meaning of the Companies Act 2006 or Part 7 of the Co-operative and Community Benefit Societies Act 2014, of a company or a registered society that is a subsidiary of a local authority by virtue of meeting the condition in paragraph (a) or (b) or in subsection (5)(a).
- (5) The conditions are—
- (a) a local authority has power to appoint or remove all or a majority of the members of the committee of management of the society;
 - (b) the society is a subsidiary, within the meaning of the Companies Act 2006 or Part 7 of the Co-operative and Community Benefit Societies Act 2014, of a company or a registered society that is a subsidiary of a local authority by virtue of meeting the condition in paragraph (a) or in subsection (4)(a) or (b).
- (6) For the purposes of subsection (3)(b), a company or registered society is a subsidiary of a local authority if one or more of the conditions in subsection (4) (in the case of a company) or subsection (5) (in the case of a registered society) is met.
- (7) The Welsh Ministers may by order make provision for a registered social landlord of a description specified in the order to be treated as being a wholly controlled local authority subsidiary for the purposes of this section and any order made under it.
- (8) An order under this section is to be made by statutory instrument subject to annulment in pursuance of a resolution of the National Assembly for Wales.]

Textual Amendments

- F1** Pt. I Ch. 1A inserted (15.8.2018) by [Regulation of Registered Social Landlords \(Wales\) Act 2018](#) (anaw 4), s. 19(2), [Sch. 1](#); S.I. 2018/777, art. 3(f)

Status:

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