



Enterprise Act 2002

2002 CHAPTER 40

PART 10

INSOLVENCY

Companies etc.

255 Application of law about company arrangement or administration to non-company

- (1) The Treasury may with the concurrence of the Secretary of State by order provide for a company arrangement or administration provision to apply (with or without modification) in relation to—
- ^{F1}(a)
 - (b) a society registered under section 7(1)(b), (c), (d), (e) or (f) of the Friendly Societies Act 1974 (c. 46),
 - (c) a friendly society within the meaning of the Friendly Societies Act 1992 (c. 40), or
 - (d) an unregistered friendly society.
- (2) In subsection (1) “company arrangement or administration provision” means—
- (a) a provision of Part I of the Insolvency Act 1986 (company voluntary arrangements),
 - (b) a provision of Part II of that Act (administration), ^{F2}...
 - (c) [^{F3}Part 26 of the Companies Act 2006] (c. 6) (compromise or arrangement with creditors)^{F4}, and
 - (d) Part 26A of that Act (compromise or arrangement with creditors where company in financial difficulty).]
- (3) An order under this section may not provide for a company arrangement or administration provision to apply in relation to a society which is [^{F5}—
- (a) a private registered provider of social housing, or

Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2002, Section 255. (See end of Document for details)

- (b)] registered as a social landlord under Part I of the Housing Act 1996 (c. 52) or under [F6Part 2 of the Housing (Scotland) Act 2010 (asp 17)] .
- (4) An order under this section—
- (a) may make provision generally or for a specified purpose only,
 - (b) may make different provision for different purposes, and
 - (c) may make transitional, consequential or incidental provision.
- (5) Provision by virtue of subsection (4)(c) may, in particular—
- (a) apply an enactment (with or without modification);
 - (b) amend an enactment.
- (6) An order under this section—
- (a) must be made by statutory instrument, and
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** S. 255(1)(a) repealed (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), s. 154, [Sch. 7](#) (with [Sch. 5](#))
- F2** Word in s. 255(2) omitted (26.6.2020) by virtue of [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), [Sch. 9 para. 22](#) (with ss. 2(2), 5(2))
- F3** Words in s. 255(2)(c) substituted (6.4.2008) by [The Companies Act 2006 \(Consequential Amendments etc\) Order 2008 \(S.I. 2008/948\)](#), art. 2(2), [Sch. 1 para. 225](#) (with arts. 6, 11, 12)
- F4** S. 255(2)(d) and preceding word inserted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), [Sch. 9 para. 22](#) (with ss. 2(2), 5(2))
- F5** Words in s. 255(3) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), [Sch. 2 para. 119](#) (with art. 6, Sch. 3)
- F6** Words in s. 255(3)(b) substituted (1.4.2012) by [The Housing \(Scotland\) Act 2010 \(Consequential Provisions and Modifications\) Order 2012 \(S.I. 2012/700\)](#), art. 1(3), [Sch. para. 6](#)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise Act 2002, Section 255.