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**Changes to legislation:** *Housing and Planning Act 2016, Paragraph 40 is up to date with all changes known to be in force on or before 08 August 2023. 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) View outstanding changes*

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## SCHEDULES

### SCHEDULE 5

#### CONDUCT OF HOUSING ADMINISTRATION: COMPANIES

#### PART 3

##### OTHER MODIFICATIONS

##### *General modifications*

- 40 (1) Paragraph 39, in its application to section 1(3) of the Insolvency Act 1986, does not entitle the housing administrator of an unregistered company to make a proposal under Part 1 of the Insolvency Act 1986 (company voluntary arrangements).
- (2) Paragraph 39 does not confer any right under section 7(4) of the Insolvency Act 1986 (implementation of voluntary arrangements) for a supervisor of voluntary arrangements to apply for a housing administration order in relation to a company that is a private registered provider.
- (3) Paragraph 39 does not apply to section 359 of the Financial Services and Markets Act 2000 (administration order).

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#### Commencement Information

- II** [Sch. 5 para. 40](#) in force at 5.7.2018 by [S.I. 2018/805](#), [reg. 3\(b\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)