
Changes to legislation: There are currently no known outstanding effects for the Corporate Insolvency and Governance Act 2020, Paragraph 47. (See end of Document for details)

SCHEDULES

SCHEDULE 9

ARRANGEMENTS AND RECONSTRUCTIONS FOR COMPANIES IN FINANCIAL DIFFICULTY

PART 2

CONSEQUENTIAL AMENDMENTS

Housing (Scotland) Act 2010 (asp 17)

- 47 (1) Section 100A (restructuring by company: proposed restructuring) is amended as follows.
- (2) In subsection (1)—
- (a) for “This section applies” substitute “ Subsections (2) and (3) apply ”;
 - (b) omit the “and” after paragraph (b);
 - (c) for paragraph (c) substitute—
 - “(c) the restructuring will result in a tenant under a Scottish secure tenancy ceasing to be a tenant of the company in respect of which the order is made, and
 - (d) the company is not being wound up and is not in administration.”
- (3) In subsection (3), for “this section” substitute “ this subsection ”.
- (4) After subsection (3) insert—
- “(4) Subsections (5) and (6) apply where—
- (a) a court order is made in respect of the company under section 901C(1) of the Companies Act 2006,
 - (b) the meeting summoned by the court order is to agree a restructuring of a type mentioned in section 901J(1) of that Act,
 - (c) the restructuring will result in a tenant under a Scottish secure tenancy ceasing to be a tenant of the company in respect of which the order is made, and
 - (d) the company is not being wound up and is not in administration.
- (5) The company must comply with sections 115 to 120 (as applied by subsection (6)) in relation to the proposed restructuring.
- (6) Sections 115 to 120 apply in relation to a proposed restructuring to which this subsection applies as they apply in relation to a proposed disposal to which section 107(4) applies, subject to the modification that section 115A(2) has effect as if, for paragraph (b), there were substituted—

Changes to legislation: *There are currently no known outstanding effects for the Corporate Insolvency and Governance Act 2020, Paragraph 47. (See end of Document for details)*

“(b) before the meeting summoned by the court order under section 901C of the Companies Act 2006 takes place,””

Changes to legislation:

There are currently no known outstanding effects for the Corporate Insolvency and Governance Act 2020, Paragraph 47.