
STATUTORY INSTRUMENTS

2023 No. 1311

The Charitable Incorporated Organisations (Notification Requirements: Social Housing) Regulations 2023

PART 4

Registration of successor bodies by the Regulator of Social Housing

Restructuring of CIOs: registration of successor bodies by the Regulator of Social Housing

9.—(1) Where the Regulator of Social Housing receives a notification under regulation 5 or 6, section 163A(1) of the 2008 Act applies with the modifications specified in paragraph (2).

(2) The modifications are as follows—

(a) the heading has effect as if for “registered societies” there were substituted “charitable incorporated organisations”;

(b) subsection (1) has effect as if there were substituted—

“(1) This section applies where—

(a) a registered provider that is a CIO notifies the regulator(2) of a resolution that complies with section 235(4) of the Charities Act 2011 approving a proposed amalgamation with one or more other CIOs;

(b) a registered provider that is a CIO notifies the regulator of a resolution that complies with section 240(3) of that Act that all its property, rights and liabilities are to be transferred to a CIO that is not a registered provider.”

(c) subsection (3) has effect as if there were substituted—

“(3) In this section—

“CIO” has the meaning given by section 204 of the Charities Act 2011;

“the successor body” means—

(a) if the relevant resolution is a resolution described in paragraph (a) of subsection (1), the body created by virtue of that resolution or by virtue of that resolution and other resolutions described in that paragraph, and

(b) if the relevant resolution is a resolution described in paragraph (b) of subsection (1), the body to which the property, rights and liabilities of the registered provider are to be transferred.”

(1) Section 163A was inserted by section 17(3) of the Social Housing (Regulation) Act 2023 from a date to be appointed.

(2) “The regulator” is defined in section 80A(2) of the Housing and Regeneration Act 2008, which was inserted by [S.I. 2018/1040](#).