Housing Associations Act 1985

1985 CHAPTER 69

PART I

REGULATION OF HOUSING ASSOCIATIONS

Constitution, change of rules, amalgamation and dissolution

21   Amalgamation and dissolution under the 1965 Act

(1) This section applies to a registered housing association—
   (a)   which is a society registered under the 1965 Act, and
   (b)   whose registration under this Part has been recorded by the appropriate registrar in accordance with section 5(3).

(2) The appropriate registrar shall not register a special resolution which is passed for the purposes of—
   (a)   section 50 of the 1965 Act (amalgamation of societies), or
   (b)   section 51 of that Act (transfer of engagements between societies),
unless, together with the copy of the resolution, there is sent to him a copy of the Housing Corporation's consent to the amalgamation or transfer concerned.

(3) Section 52 of the 1965 Act (power of society to convert itself into, amalgamate with or transfer its engagements to a company registered under the Companies Act) does not apply.

(4) If the association resolves by special resolution that it be wound up voluntarily under the Companies Act, the resolution has no effect unless—
   (a)   before the resolution was passed the Corporation gave its consent to its passing, and
   (b)   a copy of the consent is forwarded to the appropriate registrar together with the copy of the resolution required to be so forwarded in accordance with the Companies Act.

(5) If the association is to be dissolved by instrument of dissolution, the appropriate registrar shall not—

    (a)   register the instrument in accordance with section 58(5' of the 1965 Act, or

    (b)   cause notice of the dissolution to be advertised in accordance with section 58(6) of that Act,

unless together with the instrument there is sent to him a copy of the Corporation's consent to its making.

(6) The references in this section to the Corporation's consent are to an order under the seal of the Corporation giving its consent.