



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 2

REGULATION OF SOCIAL HOUSING

CHAPTER 3

REGISTRATION

Introduction

110 Overview

This Chapter provides for the establishment of a register of providers of social housing.

Commencement Information

11 S. 110 in force at 1.4.2010 by [S.I. 2010/862](#), [art. 2](#) (with [Sch.](#))

111 The register

- (1) The regulator shall maintain a register of providers of social housing.
- (2) The regulator shall make the register available for inspection by the public.

Commencement Information

12 S. 111 in force at 1.4.2010 by [S.I. 2010/862](#), [art. 2](#) (with [Sch.](#))

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Eligibility

112 [F1 Eligibility for voluntary registration]

- [F2(1) A body is eligible for registration if—
- (a) it is an English body, and
 - (b) it satisfies the following conditions.]
- (2) Condition 1 is that the body—
- (a) is a provider of social housing in England, or
 - (b) intends to become a provider of social housing in England.
- (3) Condition 2 is that the body satisfies any relevant criteria set by the regulator ^{F3}...—
- (a) [^{F4}as to] its financial situation,
 - (b) [^{F5}as to] its constitution, ^{F6}...
 - (c) [^{F7}as to] other arrangements for its management [^{F8}, and
 - (d) to secure that the body would meet, on registration, standards set by the regulator under sections 193, 194, 194A and 194C.]
- (4) Before setting criteria the regulator must consult—
- ^{F9}(a)
 - [^{F10}(za) the HCA,]
 - [^{F11}(aa) the Greater London Authority,]
 - (b) one or more bodies appearing to it to represent the interests of [^{F12}private registered providers],
 - [^{F13}(ba) any body for the time being nominated under section 278A,]
 - and
 - (c) one or more [^{F14}other] bodies appearing to it to represent the interests of tenants.
- ^{F15}(5)

Textual Amendments

- F1** Heading of s. 112 substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 11(4)**
- F2** S. 112(1) substituted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), **Sch. 5 para. 7(a)**; S.I. 2023/1001, reg. 2(y)(ii)
- F3** Words in s. 112(3) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), **ss. 7(a)**, 46(3); S.I. 2023/1001, reg. 2(f)
- F4** Words in s. 112(3)(a) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), **ss. 7(b)**, 46(3); S.I. 2023/1001, reg. 2(f)
- F5** Words in s. 112(3)(b) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), **ss. 7(c)(i)**, 46(3); S.I. 2023/1001, reg. 2(f)
- F6** Word in s. 112(3)(b) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), **ss. 7(c)(ii)**, 46(3); S.I. 2023/1001, reg. 2(f)
- F7** Words in s. 112(3)(c) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), **ss. 7(d)(i)**, 46(3); S.I. 2023/1001, reg. 2(f)
- F8** S. 112(3)(d) and word inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), **ss. 7(d)(ii)**, 46(3); S.I. 2023/1001, reg. 2(f)

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- F9** S. 112(4)(a) repealed (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 16 para. 36](#), [Sch. 25 Pt. 26](#); [S.I. 2012/628](#), art. 6(i)(j) (with arts. 911141517)
- F10** S. 112(4)(za) inserted (1.10.2018) by [The Legislative Reform \(Regulator of Social Housing\) \(England\) Order 2018 \(S.I. 2018/1040\)](#), art. 1(2), [Sch. para. 21](#) (with Pt. 4)
- F11** S. 112(4)(aa) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 19 para. 48](#); [S.I. 2012/628](#), art. 6(i) (with arts. 911141517)
- F12** Words in s. 112(4)(b) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), [Sch. 1 para. 11\(2\)](#)
- F13** S. 112(4)(ba) inserted (12.11.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), [ss. 26\(3\)\(a\)](#), 148(1)(c)
- F14** Word in s. 112(4)(c) inserted (12.11.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), [ss. 26\(3\)\(b\)](#), 148(1)(c)
- F15** S. 112(5) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 7\(b\)](#); [S.I. 2023/1001](#), reg. 2(y)(ii)

Commencement Information

- I3** S. 112(1)(2) in force at 1.4.2010 by [S.I. 2010/862](#), [art. 2](#) (with Sch.)
- I4** S. 112(3)(4) in force at 8.9.2008 for specified purposes by [S.I. 2008/2358](#), [art. 3\(1\)](#) (with art. 3(3)(4))
- I5** S. 112(3)(4) in force at 1.4.2010 in so far as not already in force by [S.I. 2010/862](#), [art. 2](#) (with Sch.)

^{F17} 113 [^{F16}Section 112: exceptions]

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Textual Amendments

- F16** S. 113 heading substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), [Sch. 1 para. 12](#)
- F17** S. 113 omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 8](#); [S.I. 2023/1001](#), reg. 2(y)(ii)

114 Registration of local authorities

^{F18}(1)

- (2) The Secretary of State may by order require [^{F19}or permit] the regulator to register—
 - (a) a specified local authority, or
 - (b) a specified class of local authority.

- (3) Registration under subsection (2)—
 - (a) takes effect in accordance with any provision of the order about timing or other procedural or incidental matters, [^{F20}and]
 - (b) does not require an application for registration, ^{F21}...
 - ^{F22}(c)

- (4) If the Secretary of State thinks it necessary or desirable in connection with the registration of local authorities, the Secretary of State may by order—
 - (a) provide for a provision of this Part or any other enactment not to apply in relation to registered local authorities;
 - (b) provide for a provision of this Part or any other enactment to apply with specified modifications in relation to registered local authorities;

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- (c) amend a provision of this Part or any other enactment.
- (5) In this section—
- ^{F23}(a)
- (b) “registered local authorities” means authorities or persons who are registered, registrable or to be registered as a result of an order under subsection ^{F24}... (2) above.
- (6) Before making an order under this section the Secretary of State shall consult—
- (a) any authority or person likely to be affected by it, and
- (b) such other persons as the Secretary of State thinks fit.

Textual Amendments

- F18** S. 114(1) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 9\(a\)](#); S.I. 2023/1001, reg. 2(y)(ii)
- F19** Words in s. 114(2) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 9\(b\)](#); S.I. 2023/1001, reg. 2(y)(ii)
- F20** Word in s. 114(3)(a) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 9\(c\)\(i\)](#); S.I. 2023/1001, reg. 2(y)(ii)
- F21** Word in s. 114(3)(b) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 9\(c\)\(ii\)](#); S.I. 2023/1001, reg. 2(y)(ii)
- F22** S. 114(3)(c) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 9\(c\)\(iii\)](#); S.I. 2023/1001, reg. 2(y)(ii)
- F23** S. 114(5)(a) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 9\(d\)\(i\)](#); S.I. 2023/1001, reg. 2(y)(ii)
- F24** Words in s. 114(5)(b) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 9\(d\)\(ii\)](#); S.I. 2023/1001, reg. 2(y)(ii)

Commencement Information

- I6** S. 114 in force at 8.9.2008 for specified purposes by [S.I. 2008/2358](#), [art. 3\(1\)](#)
- I7** S. 114 in force at 7.9.2009 for E. in so far as not already in force by [S.I. 2009/2096](#), [art. 2\(1\)](#)

^{F25}114A Local authorities: duty to notify

- (1) A local authority ^{F26}... which is not subject to compulsory registration must notify the regulator as soon as it becomes subject to compulsory registration.
- (2) For these purposes, an authority is subject to compulsory registration if—
- (a) it is a provider of social housing, or
- (b) it intends to become a provider of social housing.]

Textual Amendments

- F25** S. 114A inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), [Sch. 1 para. 13](#)
- F26** Words in s. 114A(1) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), [Sch. 5 para. 10](#); S.I. 2023/1001, reg. 2(y)(ii)

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115 Profit-making and non-profit organisations

- (1) Each entry in the register shall designate the body registered as either—
 - (a) a non-profit organisation, or
 - (b) a profit-making organisation.
- (2) A body is a non-profit organisation if it is a registered or non-registrable charity.
- (3) A body is also a non-profit organisation if it satisfies the following conditions.
- (4) Condition 1 is that the body—
 - (a) does not trade for profit, or
 - (b) is prohibited by its constitution from issuing capital with interest or dividend at a rate exceeding that prescribed under section 1(1)(b) of the Housing Associations Act 1985 (c. 69).
- (5) Condition 2 is that a purpose of the body is the provision or management of housing.
- (6) Condition 3 is that any other purposes of the body are connected with or incidental to the provision of housing.
- (7) The Secretary of State may make regulations providing that a specified purpose is to be, or not to be, treated as connected with or incidental to the provision of housing.
- (8) A body which is not a non-profit organisation under subsection (2) or (3) is a profit-making organisation.
- (9) If the regulator thinks that what was a profit-making organisation has become a non-profit organisation [^{F27}or vice versa], the regulator must change the registered designation accordingly [^{F28}and notify the body it has done so.]
- [^{F29}(10) Subsection (1) does not apply to the entry of a local authority in the register (and, accordingly, references to “profit-making” and “non-profit” in connection with a registered provider do not refer to a local authority).]

Textual Amendments

- F27** Words in s. 115(9) inserted (6.4.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 4 para. 23**; S.I. 2017/75, reg. 4
- F28** Words in s. 115(9) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), **Sch. 4 para. 2**; S.I. 2023/1001, reg. 2(x)
- F29** S. 115(10) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 14**

Commencement Information

- I8** S. 115 in force at 1.4.2010 by [S.I. 2010/862](#), **art. 2** (with Sch.)

Procedure

116 [^{F30}Entry in the register: voluntary registration]

- (1) The regulator shall register anyone who—
 - (a) is eligible for registration [^{F31}under section 112(1)], and
 - (b) applies to be registered.

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(2) The regulator may make provision about—

- (a) the form of an application;
- (b) the information to be contained in it or provided with it;
- (c) the manner in which an application is submitted;
- (d) the consequences of failure to comply with provision under paragraphs (a) to (c).

[^{F32}(2A) The regulator must notify a body of the outcome of its application.]

(3) This section is subject to section 117 (fees).

(4) Once entered [^{F33}in the register under this section] a body remains registered unless and until removed under section 118 or 119.

(5) It shall be presumed for all purposes that a person entered in the register [^{F34}under this section] is eligible for registration while the registration lasts (irrespective of whether and why the person is later removed from the register).

[^{F35}(6) This section deals with voluntary registration; for the registration of local housing authorities and county councils, see section 114.]

Textual Amendments

- F30** Heading of s. 116 substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 15(6)**
- F31** Words in s. 116(1)(a) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 15(2)**
- F32** S. 116(2A) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), **Sch. 4 para. 3**; S.I. 2023/1001, reg. 2(x)
- F33** Words in s. 116(4) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 15(3)**
- F34** Words in s. 116(5) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 15(4)**
- F35** S. 116(6) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 15(5)**

Commencement Information

- I9** S. 116(1) s. 116(3)-(5) in force at 1.4.2010 by [S.I. 2010/862](#), **art. 2** (with Sch.)
- I10** S. 116(2) in force at 8.9.2008 by [S.I. 2008/2358](#), **art. 3(1)**

117 Fees

[^{F36}(1) The regulator may charge—

- (a) a fee for initial registration, and
- (b) an annual fee for continued registration.

(2) Except in the case of a local authority, the regulator may make initial or continued registration conditional upon payment of the fee.]

(3) The regulator shall—

- (a) prescribe the amount of a fee, and

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- (b) make provision about the periods during which and in respect of which annual fees are payable.
- (4) The regulator may set different fees, and make different provision, for different cases or circumstances.
- (5) Fees must be set in accordance with principles which the regulator prepares and publishes and which are designed to ensure that so far as is reasonably practicable—
 - (a) fee income matches expenditure on the performance of [^{F37}the regulator's] functions,
 - (b) each fee is reasonable and proportionate to the costs to which it relates, and
 - (c) actual or potential registered providers can see the relationship between the amount of a fee and the costs to which it relates.
- (6) The principles—
 - (a) shall provide for section 95(3) to be disregarded for the purpose of subsection (5)(a), and
 - (b) may provide for specified expenditure or potential expenditure under section 95 or otherwise to be disregarded for the purpose of subsection (5)(a).
- (7) Principles do not have effect until approved by the Secretary of State.
- (8) In preparing (or revising) the principles the regulator shall consult persons appearing to the regulator to represent the interests of fee-payers.
- (9) The [^{F38}regulator's] accounts shall show—
 - (a) fees received, and
 - (b) fees outstanding.

^{F39}(10)

Textual Amendments

- F36** S. 117(1)(2) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 16**
- F37** Words in s. 117(5)(a) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 16 para. 37(2)**; [S.I. 2012/628](#), art. 6(i) (with arts. 911141517)
- F38** Word in s. 117(9) substituted (1.10.2018) by [The Legislative Reform \(Regulator of Social Housing\) \(England\) Order 2018 \(S.I. 2018/1040\)](#), art. 1(2), **Sch. para. 22(a)** (with Pt. 4)
- F39** S. 117(10) omitted (1.10.2018) by virtue of [The Legislative Reform \(Regulator of Social Housing\) \(England\) Order 2018 \(S.I. 2018/1040\)](#), art. 1(2), **Sch. para. 22(b)** (with Pt. 4)

Commencement Information

- I11** S. 117 in force at 8.9.2008 for specified purposes by [S.I. 2008/2358](#), **art. 3(1)**
- I12** S. 117 in force at 1.4.2010 in so far as not already in force by [S.I. 2010/862](#), **art. 2** (with Sch.)

118 De-registration: compulsory

- (1) The regulator may remove from the register a [^{F40}private registered provider] which the regulator thinks—
 - (a) is no longer eligible for registration,
 - [^{F41}(aa) has failed to meet a standard under section 193, 194 or 194C.]

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- (b) has ceased to carry out activities, or
- (c) has ceased to exist.

[^{F42}(2) Before acting under subsection (1)(a), (aa) or (b) the regulator must—

- (a) give the private registered provider a notice—
 - (i) warning the provider that the regulator is considering action under the provision concerned, and
 - (ii) specifying a period (which must be at least 14 days beginning with the day the provider receives the notice) within which the provider may make representations, and
- (b) consider any representations made during that period.]

[^{F43}(3) The regulator must notify a private registered provider of a decision to remove it from the register under subsection (1)(a), (aa) or (b).]

[^{F44}(4) The regulator shall remove a local authority from the register if the regulator becomes aware that the authority—

- (a) is no longer a provider of social housing, or
- (b) no longer intends to become a provider of social housing (in the case of an authority which intended to become one but did not in fact do so).]

Textual Amendments

- F40** Words in s. 118(1) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 17(2)**
- F41** S. 118(1)(aa) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), **ss. 9**, 46(3); S.I. 2023/1001, reg. 2(g)
- F42** S. 118(2) substituted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), **Sch. 4 para. 4(2)**; S.I. 2023/1001, reg. 2(x)
- F43** S. 118(3) substituted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), s. 46(3), **Sch. 4 para. 4(3)**; S.I. 2023/1001, reg. 2(x)
- F44** S. 118(4) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 17(3)**

Commencement Information

- I13** S. 118 in force at 1.4.2010 by [S.I. 2010/862](#), **art. 2** (with Sch.)

119 De-registration: voluntary

- (1) A [^{F45}private registered provider] may ask the regulator to remove it from the register.
- (2) The regulator may comply with a request—
 - (a) on the grounds that the registered provider no longer is or intends to be a provider of social housing in England,
 - (b) on the grounds that the registered provider is subject to regulation by another authority whose control is likely to be sufficient, or
 - (c) on the grounds that the registered provider meets any relevant criteria for de-registration set by the regulator.
- (3) Before deciding whether or not to comply, the regulator must consult such local authorities in whose area the registered provider acts as it thinks appropriate.

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- (4) The regulator shall not comply with a request by a non-profit registered provider if it thinks that removal is sought with a view to enabling the registered provider to distribute assets to members.
- (5) In deciding whether or not to comply, the regulator must (in particular) have regard to—
 - ^{F46}(a)
 - (b) any conditions imposed in connection with financial assistance given to the registered provider under any enactment.
- (6) Having decided whether or not to remove the registered provider the regulator must notify—
 - (a) the provider, and
 - (b) any authority consulted.
- (7) The regulator shall publish criteria set for the purposes of subsection (2)(c).

Textual Amendments

- F45** Words in s. 119(1) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 1 para. 18**
- F46** S. 119(5)(a) omitted (6.4.2017) by virtue of [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 4 para. 11**; S.I. 2017/75, reg. 4
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Commencement Information

- I14** S. 119(1) s. 119(3)-(6) in force at 1.4.2010 by [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- I15** S. 119(2)(7) in force at 8.9.2008 for specified purposes by [S.I. 2008/2358](#), **art. 3(1)**
- I16** S. 119(2)(7) in force at 1.4.2010 in so far as not already in force by [S.I. 2010/862](#), **art. 2** (with [Sch.](#))

120 Notice

- (1) As soon as is reasonably practicable after registering or de-registering a body the regulator shall notify—
 - (a) in the case of a registered charity, the Charity Commission,
 - (b) in the case of [^{F47}a registered society], the [^{F48}Financial Conduct Authority],
^{F49}...
 - (c) in the case of a registered company (whether or not also a registered charity), the registrar of companies for England and Wales [^{F50}, and
 - (d) in the case of a local authority, the Secretary of State.]
- (2) [^{F51}Except in the case of a local authority,] a notice of registration shall specify whether the person registered is designated as a non-profit or profit-making organisation.
- (3) If the designation changes, the regulator shall notify any person notified of the registration.
- (4) A person to whom notice is given under this section must keep a record of it.

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Textual Amendments

- F47** Words in Act substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014](#) (c. 14), s. 154, **Sch. 4 para. 122** (with Sch. 5)
- F48** Words in s. 120(1)(b) substituted (1.4.2013) by [The Financial Services Act 2012 \(Mutual Societies\) Order 2013](#) (S.I. 2013/496), art. 1(1), Sch. 11 para. 8(2)(3)(a) (with Sch. 12)
- F49** Word in s. 120(1)(b) omitted (1.4.2010) by virtue of [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010](#) (S.I. 2010/844), art. 1(2), **Sch. 1 para. 19(2)(a)**
- F50** S. 120(1)(d) and word inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010](#) (S.I. 2010/844), art. 1(2), **Sch. 1 para. 19(2)(b)**
- F51** Words in s. 120(2) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010](#) (S.I. 2010/844), art. 1(2), **Sch. 1 para. 19(3)**

Commencement Information

- I17** S. 120 in force at 1.4.2010 by [S.I. 2010/862](#), **art. 2** (with Sch.)

121 Appeal

- (1) A body may appeal to the High Court against a decision of the regulator—
- to refuse to register it,
 - to de-register it [^{F52}under section 118(1)], ^{F53}...
 - to refuse to de-register it,
 - ^{F54}(d) to designate it as a non-profit organisation or as a profit-making organisation (as the case may be), or
 - to change its registered designation.]

[^{F55}(1A) An appeal under this section must be brought within the period of 28 days beginning with the day on which the body is notified of the decision it is appealing.]

- (2) The regulator shall not de-register a body [^{F56}during the appeal period].

[^{F57}(2A) The “appeal period” means—

- where an appeal is brought, the period beginning with the day on which notice of the decision appealed against is given and ending with the day on which the appeal is finally determined or withdrawn, and
- otherwise, the period during which an appeal could be brought.

(2B) Subsections (1A) to (2A) do not apply to a decision of the regulator to de-register a body under section 118(1)(c).]

- (3) The Secretary of State may by order provide for the First-tier Tribunal to have jurisdiction under this section instead of the High Court.

Textual Amendments

- F52** Words in s. 121(1)(b) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023](#) (c. 36), s. 46(3), **Sch. 4 para. 5(2)(a)**; S.I. 2023/1001, reg. 2(x)
- F53** Word in s. 121(1)(b) omitted (20.9.2023) by virtue of [Social Housing \(Regulation\) Act 2023](#) (c. 36), s. 46(3), **Sch. 4 para. 5(2)(b)**; S.I. 2023/1001, reg. 2(x)
- F54** S. 121(1)(d)(e) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023](#) (c. 36), s. 46(3), **Sch. 4 para. 5(2)(c)**; S.I. 2023/1001, reg. 2(x)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Housing and Regeneration Act 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- F55** S. 121(1A) inserted (20.9.2023) by Social Housing (Regulation) Act 2023 (c. 36), s. 46(3), **Sch. 4 para. 5(3)**; S.I. 2023/1001, reg. 2(x)
- F56** Words in s. 121(2) substituted (20.9.2023) by Social Housing (Regulation) Act 2023 (c. 36), s. 46(3), **Sch. 4 para. 5(4)**; S.I. 2023/1001, reg. 2(x)
- F57** S. 121(2A)(2B) inserted (20.9.2023) by Social Housing (Regulation) Act 2023 (c. 36), s. 46(3), **Sch. 4 para. 5(5)**; S.I. 2023/1001, reg. 2(x)

Commencement Information

- I18** S. 121 in force at 1.4.2010 by [S.I. 2010/862](#), **art. 2** (with Sch.)

Changes to legislation:

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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. 14(6A) inserted by [2023 c. 55 s. 138](#)
- s. 107(2A) inserted by [2023 c. 36 s. 3\(2\)\(c\)](#)
- s. 107(4A)(4B) inserted by [2023 c. 36 s. 3\(2\)\(f\)](#)
- s. 107(6A) inserted by [2023 c. 36 s. 3\(2\)\(i\)](#)
- s. 115(6A) inserted by [2023 c. 36 s. 8\(d\)](#)
- s. 117(1A) inserted by [2023 c. 36 s. 4\(3\)](#)
- s. 117(4A) inserted by [2023 c. 36 s. 4\(5\)](#)
- s. 126A-126D inserted by [2023 c. 36 s. 10\(2\)](#)
- s. 146(2B) inserted by [2023 c. 36 s. 12\(3\)\(e\)](#)
- s. 153(1)(ba) inserted by [2023 c. 36 s. 12\(6\)\(a\)](#)
- s. 153(1A) inserted by [2023 c. 36 s. 12\(6\)\(b\)](#)
- s. 154(2)(ab) inserted by [2023 c. 36 Sch. 1 para. 18](#)
- s. 161A inserted by [2023 c. 36 s. 18\(2\)](#)
- s. 163A applied (with modifications by [S.I. 2023/1311 reg. 9](#))
- s. 163A inserted by [2023 c. 36 s. 17\(3\)](#)
- s. 163B inserted by [2023 c. 36 s. 18\(3\)](#)
- s. 169CA inserted by [2023 c. 36 s. 19\(4\)](#)
- s. 169CB-169CD and cross-heading inserted by [2023 c. 36 s. 20\(2\)](#)
- s. 169ZA inserted by [2023 c. 36 Sch. 5 para. 14](#)
- s. 199(9) inserted by [2023 c. 36 s. 28\(2\)\(c\)](#)
- s. 199A-199B inserted by [2023 c. 36 s. 28\(3\)](#)
- s. 200(4A) inserted by [2023 c. 36 s. 28\(4\)\(d\)](#)
- s. 201A inserted by [2023 c. 36 s. 29\(2\)](#)
- s. 203A inserted by [2023 c. 36 s. 30\(4\)](#)
- s. 215(1A) inserted by [2023 c. 36 s. 29\(3\)](#)
- s. 218(2)(e) inserted by [2023 c. 36 Sch. 5 para. 26\(b\)](#)
- s. 218A-218D and cross-heading inserted by [2023 c. 36 s. 31\(2\)](#)
- s. 220(11B) inserted by [2023 c. 36 s. 10\(3\)](#)
- s. 220(11D)(11E) inserted by [2023 c. 36 s. 31\(3\)](#)
- s. 225A-225H and cross-heading inserted by [2023 c. 36 s. 32](#)
- s. 227(7B) inserted by [2023 c. 36 s. 10\(4\)](#)
- s. 227(7D)(7E) inserted by [2023 c. 36 s. 31\(4\)](#)
- s. 237(5)(6) inserted by [2023 c. 36 s. 31\(5\)](#)
- s. 247(1)(c) and word inserted by [2023 c. 36 s. 31\(6\)](#)
- s. 247(1)(ab)(ac) inserted by [2023 c. 36 s. 10\(5\)](#)
- s. 249(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 7\(b\)](#)
- s. 251(1)(c) and word inserted by [2023 c. 36 s. 31\(7\)](#)
- s. 251(1)(ab)(ac) inserted by [2023 c. 36 s. 10\(6\)](#)
- s. 252(2A) inserted by [2023 c. 36 Sch. 3 para. 9\(b\)](#)
- s. 252A(2)(c)(d) inserted by [2023 c. 36 s. 10\(7\)\(b\)](#)
- s. 252A(2)(e) inserted by [2023 c. 36 Sch. 3 para. 10\(b\)](#)
- s. 252A(2)(f) and word inserted by [2023 c. 36 s. 31\(8\)](#)
- s. 253(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 11\(b\)](#)
- s. 255(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 12\(b\)](#)
- s. 259(3A) inserted by [2023 c. 36 Sch. 3 para. 15\(d\)](#)
- s. 266(9) inserted by [2023 c. 36 Sch. 3 para. 17\(b\)](#)
- s. 269(1)(ba)(bb) inserted by [2023 c. 36 Sch. 3 para. 18\(c\)](#)

– s. 269(1A) inserted by [2023 c. 36 Sch. 3 para. 18\(d\)](#)