



# Co-operative and Community Benefit Societies and Credit Unions Act 2010

## 2010 CHAPTER 7

### *Co-operative and community benefit societies*

#### **3 Application of provisions relating to directors disqualification**

In the Company Directors Disqualification Act 1986 (c. 46), after section 22D insert—

##### **“22E Application of Act to societies registered under the Industrial and Provident Societies Act 1965**

- (1) In this section “registered society” means a society registered or deemed to be registered under the Industrial and Provident Societies Act 1965 (“the 1965 Act”).
- (2) This Act applies to registered societies as it applies to companies.
- (3) Accordingly, in this Act—
  - (a) references to a company include a registered society, and
  - (b) references to a director or an officer of a company include a member of the committee or an officer of a registered society.

In paragraph (b) “committee” and “officer” have the same meaning as in the 1965 Act: see section 74(1) of that Act.

- (4) As they apply in relation to registered societies, the provisions of this Act have effect with the following modifications—
  - (a) in section 2(1) (disqualification on conviction of indictable offence), the reference to striking off includes cancellation of the registration of a society under the 1965 Act;
  - (b) in section 3 (disqualification for persistent breaches) and section 5 (disqualification on summary conviction), references to the companies legislation shall be read as references to the legislation relating to registered societies;

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**Changes to legislation:** There are currently no known outstanding effects for the Co-operative and Community Benefit Societies and Credit Unions Act 2010, Section 3. (See end of Document for details)

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- (c) in section 8(1) (disqualification after investigation), the reference to investigative material shall be read as including—
    - (i) any report made under section 47 or 49(1) of the 1965 Act (inspection of books or appointment of inspector), and
    - (ii) any information, books, accounts or other documents obtained under section 48 of the 1965 Act;
  - (d) references to the registrar shall be read as references to the Financial Services Authority;
  - (e) references to a shadow director shall be disregarded.
- (5) In the application of Schedule 1 to the members of the committee of a registered society, references to provisions of the Companies Act 2006 shall be read as including references to the corresponding provisions of the legislation relating to registered societies.
- (6) In this section “the legislation relating to registered societies” means the Industrial and Provident Societies Acts 1965 to 2003, the Credit Unions Act 1979 and the Co-operative and Community Benefit Societies and Credit Unions Act 2010.”

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**Commencement Information**

**II** [S. 3](#) in force at 6.4.2014 by [S.I. 2014/183](#), [art. 2](#)

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