



# Co-operative and Community Benefit Societies Act 2014

## 2014 CHAPTER 14

### PART 11

#### MISCELLANEOUS AND GENERAL

##### *Application of company law etc*

- 135 Power to apply company law provisions on investigations, names and dissolution etc**
- (1) The Treasury may by regulations—
    - (a) make provision applying any provision mentioned in subsection (2) to registered societies, or
    - (b) make provision for registered societies corresponding to any such provision, in either case, with such modifications as appear to the Treasury to be appropriate.
  - (2) The provisions are—
    - (a) Parts 14 and 15 of the Companies Act 1985 (investigations);
    - (b) Part 5 of the Companies Act 2006 (company names);
    - (c) Part 31 of that Act (dissolution and restoration to the register).
  - (3) Regulations made by virtue of subsection (2)(a) may amend or repeal any of sections 105 to 107 (inspections, information powers etc).
  - (4) Regulations made by virtue of subsection (2)(b) may amend or repeal section 10 or 11 (or both) (provisions about a society's name).
  - (5) Regulations made by virtue of subsection (2)(c) may amend or repeal—
    - (a) section 5(3)(c) (cancellation of registration: society having ceased to exist);
    - (b) section 126 (dissolution etc to occur only after society's property dealt with).

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**Changes to legislation:** There are currently no known outstanding effects for the Co-operative and Community Benefit Societies Act 2014, Section 135. (See end of Document for details)

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- (6) Subsections (3) to (5) are not to be read as restricting the power conferred by section 136 (power to make consequential amendments).
- (7) The regulations may—
- (a) confer power to make orders, regulations and other subordinate legislation;
  - (b) create criminal offences, but only—
    - (i) in circumstances corresponding to an offence under the Companies Acts, and
    - (ii) subject to a maximum penalty no greater than is provided for in respect of the corresponding offence;
  - (c) provide for the charging of fees, but not any charge in the nature of taxation.
- (8) The regulations may contain such supplementary, incidental and transitional provisions as appear to the Treasury to be necessary or expedient.
- (9) Before making any regulations under this section the Treasury must consult such persons as appear to them to be appropriate.

**Changes to legislation:**

There are currently no known outstanding effects for the Co-operative and Community Benefit Societies Act 2014, Section 135.