
STATUTORY INSTRUMENTS

2006 No. 264

The Community Benefit Societies (Restriction
on Use of Assets) Regulations 2006

PART 4

Enforcement measures

Restitution

10.—(1) If the Authority considers that—

- (a) a prescribed community benefit society has contravened regulation 3;
- (b) the society has suffered loss as a result; and
- (c) an officer of the society has been knowingly concerned in the contravention,

the Authority may require the officer concerned, in accordance with such arrangements and within such period as the Authority considers appropriate, to pay to the society such amount as appears to the Authority to be just having regard to the extent of the loss suffered by the society as a result of the contravention.

(2) If all or any of the amount payable by the officer is outstanding at the end of the period within which payment is required to be made, the society may recover the outstanding amount as a debt due to it.

(3) The Authority may not exercise the power in paragraph (1) if it considers, having taken into account any representations made to it in response to a warning notice, that the officer concerned took all reasonable steps to secure that the society did not contravene regulation 3.