



Homes &
Communities
Agency

THE REGULATOR OF SOCIAL HOUSING

Decision Instrument

Instrument number: 13

Title of Instrument: **Directions about notifications of registered society restructuring, company arrangements and reconstruction, registered society dissolution, and constitutional changes**

Introduction

- A Regulation of social housing in England under the Housing and Regeneration Act 2008 ('the Act') is the responsibility of the Homes and Community Agency acting through its Regulation Committee ('the Regulator').
- B The Act was amended by the Housing and Planning Act 2016 ('the HPA 2016'). The changes made include the:
- removal of the Regulator's constitutional consent powers;
 - introduction of some new requirements for non-profit private registered providers of social housing ('PRPs') to notify the Regulator in relation to certain restructuring, dissolution, and/or constitutional changes (under sections 160 to 165 and 169A to 169C of the Act);
 - introduction of a power for the Regulator to direct non-profit PRPs about the period within which notification must be made and/or content of such notifications; and
 - introduction of a power for the Regulator to direct that the requirement for notification is dispensed with.
- C The purpose of this document is to issue the directions made by the Regulator pursuant to its powers under section 169D of the Act.
- D The Regulation Committee has taken decisions to direct non-profit PRPs about the notifications they are required to make to the Regulator; and/or to dispense with notification requirements; to withdraw previous 'Guidance for constitutional consents (sections 212 to 214), restructuring and dissolution (sections 160 to 165)'; and to issue new 'Guidance For Non-Profit Private Registered Providers Undergoing A Restructure Or Amending Their Governing Documents'.

- E The Regulator will make arrangements for bringing these directions to the attention of every non-profit private registered provider to which it applies.

Decision

Date decision made: 13 March 2017


Decision made by: Regulation Committee

1	<p>The Regulator, in exercise of the powers conferred by section 169D of the Act has made Directions, set out in Schedule 1, in relation to notifications by Non-Profit PRPs pursuant to the requirements of the 2008 Act in relation to:</p> <ul style="list-style-type: none">• Company: arrangements and reconstructions• Company: conversion into registered society• Company: change of articles• Company: change of name or registered office• Registered society: restructuring• Registered society: dissolution• Registered society: change of rules• Charity: change of objects
3	<p>These directions come into force on 6 April 2017.</p>

Authentication

Name: Julian Ashby

Position: Chair of the Regulation Committee of the Homes and Communities Agency

Signature: 

Schedule 1 to Decision Instrument 13