



House of Lords
House of Commons

Joint Committee on
Consolidation Bills

Co-operative and Community Benefit Societies Bill [HL]

First Report of Session 2013–14

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The Joint Committee on Consolidation Bills

The Joint Committee on Consolidation Bills is appointed by the House of Lords and the House of Commons to consider Consolidation Bills, Statute Law Revision Bills and Statute Law Repeal Bills.

The Joint Committee has a maximum of twelve Members appointed by each House, of whom the quorum for any formal proceedings is three from the House of Lords and two from the House of Commons.

Membership

HOUSE OF LORDS

Lord Carswell (*Chairman*) (*Crossbench*)
Lord Christopher (*Labour*)
Earl of Dundee (*Conservative*)
Lord Eames (*Crossbench*)
Viscount Hanworth (*Labour*)
Lord Janner of Braunstone (*Labour*)
Baroness Mallalieu (*Labour*)
Lord Methuen (*Liberal Democrat*)
Lord Razzall (*Liberal Democrat*)
Baroness Seccombe (*Conservative*)
Baroness Stowell (*Conservative*)
Lord Swinfen (*Conservative*)
Lord Tombs (*Conservative*)

HOUSE OF COMMONS

Mr Robert Buckland (*Conservative, South Swindon*)
Martin Caton (*Labour, Gower*)
Mrs Jenny Chapman (*Labour, Darlington*)
Damian Collins (*Conservative, Folkestone and Hythe*)
Jim Dobbin (*Labour, Heywood and Middleton*)
Mr Stephen Dorrell (*Conservative, Charnwood*)
Charlie Elphicke (*Conservative, Dover*)
Paul Farrelly (*Labour, Newcastle-under-Lyme*)
Yvonne Fovargue (*Labour, Makerfield*)
Jesse Norman (*Conservative, Hereford and South Herefordshire*)
Sir Robert Smith (*Liberal Democrat, West Aberdeenshire and Kincardine*)
Justin Tomlinson (*Conservative, North Swindon*)

Powers

The Committee has the power to require the submission of written evidence and documents, to examine witnesses, to meet at any time (except when Parliament is prorogued or dissolved), and to make Reports to both Houses.

Publications

The Reports and Evidence of the Committee are published by The Stationery Office by Order of the two Houses. All publications of the Committee (including press notices) are on the internet at www.parliament.uk

Committee staff

The current staff of the Committee are: Simon Blackburn (Lords Clerk) and David Slater (Commons Clerk).

Contacts

All correspondence should be addressed to the Clerk of the Joint Committee on Consolidation Bills, Public Bill Office, House of Lords, London, SW1A 0PW. The telephone number for general enquiries is 020 7219 3153

Co-operative and Community Benefit Societies Bill [HL]

1. The Committee has considered the Co-operative and Community Benefit Societies Bill, which was referred to it, together with a Report of the Law Commission and the Scottish Law Commission on the Bill (Cm 8768).
2. The Committee has heard evidence on the Bill and is of the opinion that, apart from those parts of the Bill which are the subject of Law Commission recommendations, the Bill is pure consolidation and represents the existing law. The Committee is satisfied that the recommendations are necessary for the purpose of producing a satisfactory consolidation of the law and that the amendments which the Bill proposes to make to the existing law give effect to those recommendations.
3. The Committee has made amendments (set out in the Annex to this Report) to improve the Bill's form.
4. There is no other point to which the special attention of Parliament should be drawn.

Annex

Amendments made by the Joint Committee on Consolidation Bills

Co-operative and Community Benefit Societies Bill [HL]

Clause 140

1. Page 74, line 14, leave out “or 139(2)”

Schedule 4

2. Page 91, line 20, leave out “In subsection (1)” and insert “Subsection (1) applies as if”
3. Page 91, line 22, leave out “In subsection (4)(b) (condition C),” and insert “Subsection (4)(b) (condition C) applies as if”
4. Page 91, line 24, at beginning insert “The section applies as if”
5. Page 91, line 30, at beginning insert “The section applies as if”
6. Page 94, line 10, leave out “1965” and insert “1893”
7. Page 94, line 16, leave out “1965” and insert “1893”
8. Page 95, line 3, leave out from “for” to end of line 5 and insert “the words from “registered or” to “1965 or” substitute “that is a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014, or is a society registered or deemed to be registered under””
9. Page 95, line 39, leave out “1995” and insert “1965”
10. Page 98, line 7, after “society” insert “within the meaning of the Co-operative and Community Benefit Societies Act 2014”
11. Page 98, line 9, after “society” insert “within the meaning of the Co-operative and Community Benefit Societies Act 2014”
12. Page 98, line 20, after second “society” insert “within the meaning of the Co-operative and Community Benefit Societies Act 2014”
13. Page 101, line 5, at end insert “(for “year of account” see sections 77 and 78 of that Act).”
14. Page 103, line 15, leave out paragraph 81 and insert—

“81 (1) Paragraph 2(1)(a) of Schedule 9 to the Proceeds of Crime Act 2002 (regulated sector and supervisory authorities) is amended as follows.

(2) For “section 6 of the Industrial and Provident Societies Act 1965 (maximum shareholding in society)” substitute “section 24 of the Cooperative and Community Benefit Societies Act 2014 (maximum interest in a society’s withdrawable shares)”.

(3) For “section 7(3) of that Act (carrying on of banking by societies)” substitute “section 67(2) of that Act (registered society with withdrawable share capital not to carry on banking etc)”.

(4) For “a society registered under that Act” substitute “a registered society within the meaning of that Act”.

15. Page 110, line 23, at end insert “(for “year of account” see sections 77 and 78 of that Act).”
16. Page 110, line 26, leave out “(2)” and insert “(3)”
17. Page 110, line 29, leave out “(3)” and insert “(4)”
18. Page 113, line 32, leave out from “substitute” to end of line 33 and insert “the Cooperative and Community Benefit Societies Act 2014 (see sections 77 and 78 of that Act);”.

Schedule 7

19. Page 121, leave out line 11
20. Page 121, column 2, leave out line 20
21. Page 121, leave out lines 22 and 23
22. Page 121, line 27, column 2, leave out “185(3) and” and insert “185(2) to”
23. Page 121, line 27, at end insert—

“Public Bodies Act 2011 (c. 24)	Section 36(2) and (3).”
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24. Page 122, leave out lines 7 to 10
25. Page 122, leave out lines 15 to 18
26. Page 122, column 2, leave out line 19 and insert—

	“Articles 3 to 5. Articles 7 to 9. Article 12”
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27. Page 122, column 2, leave out line 45 and insert—

“In Schedule 1, paragraphs
1(j), 4 and 5.”

28. Page 123, column 2, leave out line 7

29. Page 123, line 8, column 2, leave out “paragraph” and insert “paragraphs 1 and”

30. Page 123, line 17, column 2, leave out “10(1)” and insert “10”

Formal Minutes

Tuesday 11 February 2014

Members present:

Lord Carswell, in the Chair

Lord Eames
Viscount Hanworth
Baroness Mallalieu
Lord Methuen
Baroness Seccombe

Mr Robert Buckland
Jenny Chapman
Damian Collins
Mr Stephen Dorrell
Charlie Elphicke
Yvonne Fovargue
Justin Tomlinson

It was moved by Mr Stephen Dorrell, That Lord Carswell take the Chair for the present Session of Parliament; the same was *agreed to*.

Lord Carswell in the Chair.

The Joint Committee considered the *Co-operative and Community Benefit Societies Bill [HL]*. Damian Collins declared an interest as a director of a community benefit company.

In the Title

Title of the Bill read and postponed.

In the Clauses

Clauses 1–139 read and *agreed to*.

Amendment 1 read and *agreed to*.

Clause 140 as amended read and *agreed to*.

Clauses 141–155 read and *agreed to*.

In the Schedules

Schedules 1–3 read and *agreed to*.

Amendments 2–18 read and *agreed to*.

Schedule 4 as amended read and *agreed to*.

Schedules 5 and 6 read and agreed to.

Amendments 19–30 read and *agreed to*.

Schedule 7 as amended read and *agreed to*.

In the Title

The Title again read and *agreed to*.

Draft Report laid before the Committee—

The Committee has considered the Co-operative and Community Benefit Societies Bill, which was referred to it, together with a Report of the Law Commission and the Scottish Law Commission on the Bill (Cm 8768).

The Committee has heard evidence on the Bill and is of the opinion that, apart from those parts of the Bill which are the subject of Law Commission recommendations, the Bill is pure consolidation and represents the existing law. The Committee is satisfied that the recommendations are necessary for the purpose of producing a satisfactory consolidation of the law and that the amendments which the Bill proposes to make to the existing law give effect to those recommendations.

The Committee has made amendments (set out in the Annex to this Report) to improve the Bill's form.

There is no other point to which the special attention of Parliament should be drawn.

Report *agreed to*.

Ordered, That the draft report be the First Report of the Joint Committee.

Ordered, That the Lord in the Chair do make the Report to the House of Lords and that Mr Stephen Dorrell do make the Report to the House of Commons and do report the Minutes of Evidence taken before the Committee.

Ordered, That the Committee be adjourned *sine die*.