

# Register a community benefit society

## Section 1 – About this form

Use this form to register a community benefit society under the Co-operative and Community Benefit Societies Act 2014 or the Co-operative and Community Benefit Societies Act (Northern Ireland) 1969.

Use this form for either a new registration of a community benefit society, or for a conversion to a community benefit society from either a company or society registered under the Friendly Societies Act 1974.

To register a society we need:

- this completed form
- one signed copy of the society’s rules (or two copies where not submitting electronically)

This form, including any details provided on the form, will be made available to the public through the Mutuels Public Register: <https://mutuals.fca.org.uk>..

Before you start completing this form you may find it helpful to read Chapter 5 of our guidance on our registration function under the Co-operative and Community Benefit Societies Act 2014: <https://www.fca.org.uk/publication/finalised-guidance/fg15-12.pdf>

## Section 2 – About this application

### 2.1 What are you applying to do?

Register a new community benefit society	<input checked="" type="checkbox"/>
Convert a company to a community benefit society	<input type="checkbox"/>
Convert a friendly society into a community benefit society	<input type="checkbox"/>

## 2.2 Who should we contact about this application?

Name	Safa Murad
Position	Solicitor
Postal address	<b>Anthony Collins Solicitors LLP</b> <b>134 Edmund Street</b> <b>Birmingham</b> <b>B3 2ES</b>
Telephone number	0121 212 7455
Email address	Safa.Murad@anthonycollins.com

## Section 3 – About the society

**3.1 What will be the registered name of the society?** (This must be exactly as it appears on the society’s proposed rules). Please see page 24 of our guidance for further guidance on society names.

<b>Society name</b>	Elmswell Community Land Trust (please note we seek to exclude the word limited, please see our covering letter)
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All societies must be carrying out an industry, business or trade. Here we are looking to gain a practical understanding of what that is for your society.

**3.2 What is the business of the society?** For example, will you be providing social housing, running an amateur sports club, etc.

**The provision of housing for the benefit of the community together with such other activities which provides assets or services also for the benefit of the community as detailed in the objects in rule A2.**

**3.3 What Standard Industrial Classification code best describes the society's main business?** Where more than one code applies, please select the code that you feel best describes the society's main business activity. You will find a full list of codes here: <http://resources.companieshouse.gov.uk/sic/>

**41202, 68201, 68209, 85520**

We need to be satisfied that a community benefit society is conducting its business for the benefit of the community. The conduct of a community benefit society's business must be entirely for the benefit of the community.

**3.4 Please describe the benefits to the community the society aims to deliver?** Here we are looking to see *what* the intended benefits to the community are. Community can be said to be the community at large. For example, are you relieving poverty or homelessness through the provision of social housing.

**The community consists of those people that live, work or have a strong local connection to the Parish of Elmswell and who require assistance as set out in rule A2**

**3.5 Please describe how the society's business will deliver these benefits?** The business of the society must be conducted for the benefit of the community. Please describe *how* the society's business (as described in answer to question 3.2) benefits the community.

**These activities will provide housing and associated facilities and amenities. There is a shortage of affordable housing in the area. The society wishes to operate as a Community Land Trust as defined in section 79 of the Housing and Regeneration Act 2008. It also seeks to promote for the public benefit the protection and improvement of quality open public spaces, relief of financial hardship and promotion of employment, education and training.**

**3.6 Does the society intend to work with a specific community, and if so, please define it here?** For instance, will the society's activities be confined to a specific location; or to a specific group of people? Please note that in serving the needs of any defined community, the society should not inhibit the benefit to the community at large.

**The Parish of Elmswell as set out within the Objects.**

**3.7 In what ways does the society intend to raise funds to set up and run its business?** For instance, are you intending to apply for grants, seek capital from members, take out a loan.

**The society will generate income through the sale/provision of housing and other activities in accordance with its objects. It may also seek grants from public bodies, loan facilities from bank(s) and withdrawable share capital. If interest is offered on the share capital the society shall determine the rate of interest as set out in rule C42. The society will also fundraise, seek sponsorship and donations.**

**3.8 What will the society do with any surplus or profit?** For instance, will money be reinvested in the business; put into reserves; used for some other purpose?

**Any surplus/ profit will be reinvested into the society's community activities.**

In order to satisfy ourselves that the society is conducting its business for the benefit of the community, we need to understand the society's relationships with other key stakeholders.

**3.9 Please state any significant commercial arrangements that the society has, or intends to have, with any other organisation that could create, or be perceived as creating, a conflict of interest.** Please tell us how you will ensure that any such conflicts of interest do not prevent the society from acting for the benefit of the community.

**The society will work closely with Elmswell Parish Council.**

**Board Members' interests are dealt with at Rules D16 – D26 and all Board Members must comply with these requirements to ensure the society is at all times acting for the benefit of the community. The Rules are based on the National Community Land Trust Network Model Rules 2017 which have been approved by the FCA for use by a charitable Community Land Trust.**

**3.10 Please state any close links which any of the founding members or directors has, or intends to have, with any society, company or authority.**

'Close links' includes any directorships or senior positions held by directors or founding members of the society in other organisations.

**Please complete**

**3.11 On what date do you want the society's financial year to end?** This is the date the society's financial year will end, every year after the society is registered. If you have a preference (e.g. 31 March) please specify that here. If you do not select a date the society will be given the anniversary of the last day of the month it was registered in.

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**Asset lock**

**3.12 Has the society included the community benefit society statutory asset lock in its rules?** Please note that a society with a statutory asset lock in its rules cannot remove it. The asset lock is only available to community benefit societies other than regulated housing associations or charities.

Yes

No



## Charitable objects

**3.13 Are the society's objects intended to be charitable?** Whilst we are not responsible for regulating charities, we need to know this because societies whose objects are wholly charitable are subject to a number of requirements in the Act.

Yes

No

**3.14 If charitable, what is your charitable purpose?** Charity law in England and Wales differs to that in Scotland. If in doubt please refer to the charity legislation relevant for the area you are in. Please note that we will not assess whether your stated purpose meets the legal criteria for a charity.

**See the Objects as set out within Rule A2 including relieving poverty, education and community development.**

## Section 4 – The society's rules

**4.1 If you have used a sponsoring body to submit this application please include their details here.**

Name of sponsoring body	National Community Land Trust Network
Name of model rules	National Community Land Trust Network Model Rules 2017
Signature on behalf of sponsoring body (unless submitted by email by the sponsor)	
Date	

The Act requires rules of societies to make provision for all of the matters listed below. If you have not made provision for all of the matters listed below we will not be able to register your society.

## 4.2 Please complete this table

Provision required by the Act	Number of the rule(s) covering this E.g. '2.3-2.7'
The society's name	A1
The objects of the society	A2
Place of the society's registered office, to which all communications and notices may be addressed	G1
The terms of admission of the members, including any society or company investing funds in the society under the provisions of the Act	C12-C14
The method of holding meetings, the scale and right of voting, and the method of making, altering or rescinding rules	C17-C37 and G12
The appointment and removal of a committee (by whatever name) and of managers or other officers and their respective powers and remuneration	B4 - B6, D1 - D4, D16 - D26 and E1 - E10
The maximum amount of the interest in the shares of the society which may be held by any member otherwise than by virtue of section 24(2) of the Act	C2, C42, C46 - C56
whether the society may contract loans or receive moneys on deposit subject to the provisions of this Act from members or others, and if so under what conditions, under what security, and to what limits of amount	B2.3 - B2.7, B3, F11 - F14
Whether any or all shares are transferable, and provision for the form of transfer and registration of shares, and for the consent of the committee to transfer or registration  Whether any or all shares are withdrawable, and provision for the method of withdrawal and for payment of the balance due on them on withdrawing from the society	C2, C3, C5, C6, C38 - C58
Provision for the audit of accounts in accordance with Part 7 of the Act	F6 - F10
Whether members may withdraw from the society and if so how, and provision for the claims of the representatives of deceased members and of the trustees of the property of bankrupt members (or, in Scotland, members whose estates have been sequestrated), and for the payment of nominees	C4 - C5, C15 - C16, C43 - C58
The way in which the society's profits are to be applied	A3 - A4, B1 - B3
If the society is to have a common seal, provision for its custody and use	G5

Whether any part of the society's funds may be invested, and if so by what authority and in what way	B2.5 and F14
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## Section 5 – Converting to a society

You only need to complete this section if you are converting from a company or friendly society to a community benefit society. If this does not apply to you please move on to section 6.

### Requirements

If you are converting a company into a society, three copies of a special resolution to convert the company, with the following information included in the resolution:

- Company name & number
- Date the resolution was passed
- Names of three members appointed to sign the society’s rules and to either: accept alterations to the rules made by the FCA without further consulting the company; or lay any such alterations before a general meeting of the company for acceptance

### Details

#### 5.1 Please provide details of the friendly society or company you are converting from.

Name	
Registration number	
Registered office address	
Postcode	

## Section 6 – Member details

**6.1 Please provide the details of the secretary below.** All societies must have someone fulfilling the role of secretary.

Name	
Month of birth	
Year of birth	
Signature	
Date	

**6.2 Please provide the details of 3 members below.**

Name	
Month of birth	
Year of birth	
Signature	
Date	

Name	
Month of birth	
Year of birth	
Signature	
Date	

Name	
Month of birth	
Year of birth	
Signature	
Date	

**6.3 Societies are within the scope of the Company Directors Disqualification Act 1986 (CDDA). Please confirm that no proposed director is disqualified under that Act:**

**No proposed director is disqualified**

## Section 7 – Submission details

### 7.1 Please complete the submission checklist below.

Items	Options
<p>The society's rules signed by three members and the secretary</p>	<p><input type="checkbox"/> Two copies attached - submitting by post</p> <p><input checked="" type="checkbox"/> One copy attached - submitting by email</p>
<p>Marked-up copy of rules showing what changes the society is making to the model rules</p>	<p><input checked="" type="checkbox"/> One copy attached</p> <p><input type="checkbox"/> Not attached - not using model rules</p> <p><input type="checkbox"/> Not attached – using model rules with no changes</p>
<p>Special resolution to convert the company to a society, including the following information:</p> <ul style="list-style-type: none"> <li>• Company name &amp; number</li> <li>• Date the resolution was passed</li> <li>• Names of three members appointed to sign the society's rules and to either: accept alterations to the rules made by the FCA without further consulting the company; or consult the company about any such alterations</li> </ul>	<p><input type="checkbox"/> Three copies attached - submitting by post</p> <p><input type="checkbox"/> One copy attached - submitting by email</p> <p><input checked="" type="checkbox"/> Not attached - not a company converting to a society</p>
<p>Cheque for registration fee made payable to the Financial Conduct Authority</p> <p>Please indicate below which fee is applicable to you, then select a box on the right to show how you are paying it:</p> <p><input type="checkbox"/> £40 - using model rules with no changes</p> <p><input type="checkbox"/> £120 - using model rules with 1-6 changes</p> <p><input type="checkbox"/> £350 - using model rules with 7-10 changes</p> <p><input type="checkbox"/> £950 - using model rules with 11 or more changes</p> <p><input type="checkbox"/> £950 - not using model rules</p> <p><input type="checkbox"/> No fee - Friendly society converting to a society</p>	<p><input type="checkbox"/> Cheque attached – submitting this form by post</p> <p><input checked="" type="checkbox"/> Cheque posted separately – submitting this form by email</p> <p><input type="checkbox"/> No fee - Friendly society converting to a society</p>

## Section 8 – Submitting this form

Please submit a signed, scanned version of your application by email to:  
mutual.societies@fca.org.uk

Or please submit by post to:

Mutual Societies  
Financial Conduct Authority  
12 Endeavour Square  
London  
E20 1JN

This form is available on the **Mutuals Society Portal**:  
<https://societyportal.fca.org.uk>