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STATUTORY INSTRUMENTS

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**2002 No. 3150**

**The Company Directors Disqualification  
(Northern Ireland) Order 2002**

*Disqualification for general misconduct in connection with companies*

**Disqualification for persistent default under companies legislation**

6.—(1) The High Court may make a disqualification order against a person where it appears to it that he has been persistently in default in relation to provisions of the companies legislation requiring any return, account or other document to be filed with, delivered or sent, or notice of any matter to be given, to the registrar.

(2) On an application to the High Court for an order to be made under this Article, the fact that a person has been persistently in default in relation to such provisions as are mentioned in paragraph (1) may (without prejudice to its proof in any other manner) be conclusively proved by showing that in the 5 years ending with the date of the application he has been adjudged guilty (whether or not on the same occasion) of 3 or more defaults in relation to those provisions.

(3) A person is to be treated under paragraph (2) as being adjudged guilty of a default in relation to any such provision if—

- (a) he is convicted (whether on indictment or on summary conviction) of an offence consisting in a contravention of that provision (whether on his own part or on the part of any company), or
- (b) a default order is made against him, that is to say an order under any of the following provisions—
  - (i) Article 250(3) of the Companies Order (order requiring delivery of company accounts),
  - (ii) Article 253B of the Companies Order (order requiring preparation of revised accounts),
  - (iii) Article 662 of the Companies Order (enforcement of company's duty to make returns),
  - (iv) Article 51 of the Insolvency Order (enforcement of receiver's or manager's duty to make returns), or
  - (v) Article 144 of the Insolvency Order (corresponding provision for liquidator in winding up),

in respect of any such contravention of that provision (whether on his own part or on the part of any company).

(4) The maximum period of disqualification under this Article is 5 years.