



Company Directors Disqualification Act 1986

1986 CHAPTER 46

[^{F1}Persons instructing unfit directors

[^{F1}8ZD Order disqualifying person instructing unfit director: other cases

- (1) The court may make a disqualification order against a person (“P”) if, on an application under this section, it is satisfied—
 - (a) either—
 - (i) that a disqualification order under section 8 has been made against a person who is or has been a director (but not a shadow director) of a company, or
 - (ii) that the Secretary of State has accepted a disqualification undertaking from such a person under section 8(2A), and
 - (b) that P exercised the requisite amount of influence over the person.

That person is referred to in this section as “the main transgressor”.

- (2) The Secretary of State may make an application to the court for a disqualification order against P under this section if it appears to the Secretary of State that it is expedient in the public interest for such an order to be made.
- (3) For the purposes of this section, P exercised the requisite amount of influence over the main transgressor if any of the conduct—
 - (a) for which the main transgressor is subject to the order made under section 8, or
 - (b) in relation to which the undertaking was accepted from the main transgressor under section 8(2A),

was the result of the main transgressor acting in accordance with P's directions or instructions.

- (4) But P does not exercise the requisite amount of influence over the main transgressor by reason only that the main transgressor acts on advice given by P in a professional capacity.

Changes to legislation: There are currently no known outstanding effects for the Company Directors Disqualification Act 1986, Section 8ZD. (See end of Document for details)

(5) Under this section the maximum period of disqualification is 15 years.

(6) In this section “the court” means the High Court or, in Scotland, the Court of Session.]

Textual Amendments

F1 Ss. 8ZA-8ZE and cross-heading inserted (26.5.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 105**, 164(1); S.I. 2015/1329, reg. 3(c); S.I. 2015/1689, reg. 2(c) (with Sch. para. 1)

Modifications etc. (not altering text)

C1 Ss. 6-10 applied (with modifications) by S.I. 1994/2421, art. 16, Sch. 8 (as amended (E.W.) (8.12.2017) by [The Insolvency \(Miscellaneous Amendments\) Regulations 2017 \(S.I. 2017/1119\)](#), reg. 1(1), Sch. 2 paras. 4, **8**)

Changes to legislation:

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