

1986 No. 2067

COMPANIES

**The Companies (Disqualification Orders)  
Regulations 1986***Made* - - - - 27th November 1986*Laid before Parliament* 3rd December 1986*Coming into Operation* 29th December 1986

The Secretary of State, in exercise of his powers under section 301 of the Companies Act 1985(a) and section 18 of the Company Directors Disqualification Act 1986(b), hereby makes the following Regulations:—

*Citation, commencement and interpretation*

1.— (1) These Regulations may be cited as the Companies (Disqualification Orders) Regulations 1986 and shall come into operation on 29th December 1986.

(2) In these Regulations—

“the Act” means the Company Directors Disqualification Act 1986;

“disqualification order” means an order of the court under any of sections 2 to 6, 8 and 10 of the Act;

“grant of leave” means a grant by the court of leave under section 17 of the Act to any person in relation to a disqualification order.

*Revocation*

2. The Companies (Register of Disqualification Orders) (Fee) Regulations 1977(c) and the Companies (Disqualification Orders) Regulations 1985(d) are hereby revoked.

*Particulars to be furnished by officers of the court*

3. These Regulations apply in relation to a disqualification order made after the coming into operation of these Regulations and to a grant of leave, or any action taken by a court in consequence of which a disqualification order is

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(a) 1985 c.6.

(b) 1986 c.46, as amended by section 198(2) of the Financial Services Act 1986 (c.60).

(c) S.I. 1977/776.

(d) S.I. 1985/829.

varied or ceases to be in force, made or taken after that date, in relation to a disqualification order made before, on or after that date.

4.— (1) The following officers of the court shall furnish to the Secretary of State the particulars specified in Regulation 5(a) to (c) below in the form and manner there specified:

- (a) where a disqualification order is made by the Crown Court, the Chief Clerk;
- (b) where a disqualification order or grant of leave is made by the High Court, the Chief Clerk;
- (c) where a disqualification order or grant of leave is made by a county court, the Chief Clerk;
- (d) where a disqualification order is made by a magistrates' court, the Clerk to the Justices;
- (e) where a disqualification order is made by the High Court of Justiciary, the Deputy Principal Clerk of Justiciary;
- (f) where a disqualification order or grant of leave is made by a sheriff court, the sheriff clerk; and
- (g) where a disqualification order or grant of leave is made by the Court of Session, the Deputy Principal Clerk of Session.

(2) Where a disqualification order is made by any of the courts mentioned in paragraph (1) above and subsequently any action is taken by a court in consequence of which that order is varied or ceases to be in force, the officer of the first-mentioned court specified in paragraph (1) above shall furnish to the Secretary of State the particulars specified in Regulation 5(d) below in the form and manner there specified.

5. The form in which the particulars are to be furnished is—

- (a) that set out in Schedule 1 to these Regulations with such variations as circumstances require when the person against whom the disqualification order is made is an individual, and the particulars contained therein are the particulars specified for that purpose;
- (b) that set out in Schedule 2 to these Regulations with such variations as circumstances require when the person against whom the disqualification order is made is a body corporate, and the particulars contained therein are the particulars specified for that purpose;
- (c) that set out in Schedule 3 to these Regulations with such variations as circumstances require when a grant of leave is made by the court, and the particulars contained therein are the particulars specified for that purpose;
- (d) that set out in Schedule 4 to these Regulations with such variations as circumstances require when any action is taken by a court in consequence of which a disqualification order is varied or ceases to be in force, and the particulars contained therein are the particulars specified for that purpose.

6. The time within which a prescribed officer is to furnish the Secretary of State with the said particulars shall be a period of fourteen days beginning with the day on which the disqualification order or grant of leave is made, or any action is taken by a court in consequence of which the disqualification order is varied or ceases to be in force, as the case may be.

*Michael Howard,*  
Parliamentary Under-Secretary of State,  
Department of Trade and Industry.

27th November 1986.

THE COMPANY DIRECTORS DISQUALIFICATION ACT

FORM No. D.O.1.

Particulars of a disqualification order made against an individual

I herewith furnish the Secretary of State with the following particulars of a disqualification order made against an individual as required by the Companies (Disqualification Orders) Regulations 1986:

1 Section of the Company Directors Disqualification Act 1986 under which the order was made:

Please tick appropriate box

- section 2
section 3
section 4
section 5
section 6
section 8
section 10

Vertical grid of boxes for selecting a section number.

2 Name of the individual against whom the order was made:

\* "Surname" in the case of a peer or person usually known by a title different from his surname means that title

Table with columns: Mr, Mrs, Miss, etc.; Surname\*; Other Names

3 Usual residential address of the person at the date of the order:

Address input field with a Postcode sub-field.

4 Date of birth of person (if known)

Table with columns: Day, Month, Year

5 Date on which the order was made

Table with columns: Day, Month, Year

6 Period of disqualification specified in the order:

Large empty rectangular box for text entry.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_ Court \_\_\_\_\_

Please send this form to:—

The Secretary of State, Companies Registration Office, Companies House, Crown Way, Maindy, Cardiff. CF4 3UZ.

or The Secretary of State, Companies Registration Office, 102 George Street, Edinburgh EH2 3DJ

## THE COMPANY DIRECTORS DISQUALIFICATION ACT

FORM No. D.O.2.

**Particulars of a disqualification order made against a body corporate**

I herewith furnish the Secretary of State with the following particulars of a disqualification order made against a body corporate as required by the Companies (Disqualification Orders) Regulations 1986:

1 Section of the Company Directors Disqualification Act 1986 under which the order was made:

Please tick appropriate box

section 2  
section 3  
section 4  
section 5  
section 6  
section 8  
section 10


2 Particulars of the body corporate against whom the order was made:

Corporate Name	Registered Number
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3 Address of registered or principal office in Great Britain of the body corporate at the date of the order:

	Postcode

4 Date on which the order was made

Day	Month	Year
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5 Period of disqualification specified in the order:

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Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_ Court \_\_\_\_\_

Please send this form to:—

The Secretary of State,  
Companies Registration Office  
Companies House,  
Crown Way, Maindy,  
Cardiff. CF4 3UZ.

or The Secretary of State,  
Companies Registration Office,  
102 George Street,  
Edinburgh EH2 3DJ

**THE COMPANY DIRECTORS DISQUALIFICATION ACT**

**FORM No. D.O.3.**

**Particulars of the grant of leave in relation to a disqualification order**

I herewith furnish the Secretary of State with the following particulars of the grant of leave in relation to a disqualification order as required by the Companies (Disqualification Orders) Regulations 1986:

1 Date of disqualification order in relation to which leave was granted

Day	Month	Year
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2 Court which made the disqualification order in relation to which leave was granted:

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3 Name of person to whom leave was granted:

(a) if an individual,

"Surname" in the case of a peer or person usually known by a title different from his surname means that title

Mr, Mrs, Miss, etc.	Surname*	Other Names
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(b) if a body corporate, the corporate name and registered number (if any):

Corporate Name	Registered Number
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4 If the name in which the disqualification order was made was different from that at (3) above, the name in which that order was made:

(a) if an individual,

Mr, Mrs, Miss, etc.	Surname*	Other Names
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(b) if a body corporate, the corporate name and registered number (if any):

Corporate Name	Registered Number
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5 Name of company in respect of which leave was granted, or in the case of leave to promote or form a company, the proposed name of the company where it is available, or if not, a brief description of the activities of the company

6 Date on which leave was granted

Day	Month	Year
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† Please tick appropriate box(es)

7 Activity for which leave was granted:†

Promotion	<input type="checkbox"/>	Liquidation or administration	<input type="checkbox"/>
Formation	<input type="checkbox"/>	Receivership or management of the property of the company	<input type="checkbox"/>
Directorship or other participation in management	<input type="checkbox"/>		

Signed \_\_\_\_\_ Date \_\_\_\_\_  
 Name \_\_\_\_\_ Position \_\_\_\_\_ Court \_\_\_\_\_

Please send this form to:—  
 The Secretary of State,  
 Companies Registration Office  
 Companies House, Crown Way  
 Maindy, Cardiff CF4 3UZ.

or The Secretary of State,  
 Companies Registration Office,  
 102 George Street,  
 Edinburgh EH2 3DJ

## THE COMPANY DIRECTORS DISQUALIFICATION ACT

FORM No. D.O.4.

**Particulars of the variation or cessation  
of a disqualification order**

I herewith furnish the Secretary of State with the following particulars of the action taken by a court whereby a disqualification order made by this court under the Company Directors Disqualification Act 1986 was varied or ceased to be in force:

1 Date on which disqualification order was made by this court:

Day	Month	Year
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2 Name of person against whom disqualification order was made:

(a) if an individual,

\* "Surname" in the case of a peer or person usually known by a title different from his surname means that title

Mr, Mrs, Miss, etc.	Surname*	Other Names
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(b) if a body corporate, the corporate name and registered number (if any):

Corporate Name	Registered Number
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3 Name of court by which action was taken whereby the above order was varied or ceased to be in force:

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† Please tick appropriate box

4 Result of such action†

(a) order ceased to be in force

(b) order varied

if (b), state period of disqualification now specified in the order (to run from the date on which the order was originally made)

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Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_ Court \_\_\_\_\_

Please send this form to:—  
The Secretary of State,  
Companies Registration Office  
Companies House, Crown Way  
Mandy, Cardiff CF4 3UZ.

or  
The Secretary of State,  
Companies Registration Office,  
102 George Street,  
Edinburgh EH2 3DJ

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations replace the Companies (Disqualification Orders) Regulations 1985 (S.I. 1985/829) and also take account of the additional grounds for disqualification introduced by the Insolvency Act 1985 (c.65), and consolidated in the Company Directors Disqualification Act 1986 ("the 1986 Act").

The 1986 Act gives specified courts power to make a disqualification order against a person which provides that he shall not, without leave of the court, be a director, or liquidator or administrator of a company, or receiver or manager of a company's property, or be concerned or take part in the promotion, formation or management of a company, for a specified period.

A disqualification order may be made where:

- (a) a person is convicted of an indictable offence in connection with the promotion, formation, management or liquidation of a company, or with the receivership or management of a company's property; or
- (b) a person has been in default in relation to certain provisions of the companies legislation; or
- (c) a person appears, in the course of a winding up of a company, to have been guilty of certain offences of fraud in relation to a company; or
- (d) a person who is or has been a director of an insolvent company is unfit to be concerned in the management of a company; or
- (e) there has been an investigation under certain provisions of the Companies Act 1985 ("the 1985 Act") or the Financial Services Act 1986; or
- (f) a person has been involved in fraudulent or wrongful trading under the Insolvency Act 1986 (c.45).

The Regulations require certain court officers to provide the Secretary of State with particulars of disqualification orders and the granting of leave in relation to such orders, and of any action taken by a court in consequence of which such orders are varied or cease to be in force. They also specify the form and time in which they must be given.

These Regulations also revoke the Companies (Register of Disqualification Orders) (Fee) Regulations 1977, which provided for a fee of 5p to be paid for inspecting the register of disqualification orders kept by the Secretary of State under section 18 of the 1986 Act and previously under section 29 of the Companies Act 1976 (c.69) and continued under section 301 of the 1985 Act, so that no fee will now be charged for inspecting this register.





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