
STATUTORY INSTRUMENTS

2004 No. 1940

COMPANIES

The Companies (Disqualification Orders) (Amendment) Regulations 2004

Made - - - - *21st July 2004*
Laid before Parliament *23rd July 2004*
Coming into force - - *1st September 2004*

The Secretary of State, in exercise of the powers conferred upon her by section 18 of the Company Directors Disqualification Act 1986 (1) hereby makes the following Regulations:—

Citation, interpretation and commencement

1.—(1) These Regulations may be cited as the Companies (Disqualification Orders) (Amendment) Regulations 2004.

(2) In these Regulations references to the “principal Regulations” is a reference to the Companies (Disqualification Orders) Regulations 2001(2).

(3) These Regulations shall come into force on 1st September 2004.

Application of Regulation 3

2. The amendments made to regulation 9 of the principal Regulations by regulation 3 shall only apply to—

- (a) particulars of undertakings accepted under the Company Directors Disqualification (Northern Ireland) Order 2002 on or after the date on which these Regulations come into force; and
- (b) orders made and leave granted under the Company Directors Disqualification (Northern Ireland) Order 2002 relating to undertakings to which paragraph (a) applies.

Amendment of regulation 9 of the principal Regulations

3. Regulation 9 of the principal Regulations is amended as follows:—

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- (1) 1986 c. 46, as amended by sections 5, 6 and 7 and Schedule 4 to the Insolvency Act 2000 (c. 39), regulation 4 of Part III of Schedule 2 to the Limited Liability Partnerships Regulations 2001 (S.I. 2001/1090), and paragraph 40 of Schedule 17 to the Enterprise Act 2002 (c. 40).
 - (2) S.I. 2001/967, amended by S.I. 2002/1834.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(a) after paragraph (1) there is inserted—

“(1A) Section 18(2A) is hereby extended to the particulars of disqualification undertakings accepted under and orders made and leave granted in relation to disqualification undertakings under the Company Directors Disqualification (Northern Ireland) Order 2002.”; and

(b) in paragraph (2) after the words “under Part II of the Companies (Northern Ireland) Order 1989” insert “or disqualification undertakings accepted under the Company Directors Disqualification (Northern Ireland) Order 2002”.

Gerry Sutcliffe,
Parliamentary Under Secretary of State for
Employment Relations, Competition, and
Consumers,
Department of Trade and Industry

21st July 2004

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend regulation 9 of the Companies (Disqualification Orders) Regulations 2001 (S.I.2001/967) to place obligations on the Secretary of State regarding the retention and disposal of information furnished to her relating to directors disqualification undertakings given in Northern Ireland which were introduced into the law of Northern Ireland from 5 September 2003 under the [Company Directors Disqualification \(Northern Ireland\) Order 2003 \(S.I. 2003 No. 3150 \(N.I. 4\)\)](#).

There is no requirement to prepare a Regulatory Impact Assessment since the statutory instrument will not impose any significant costs on business.