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STATUTORY INSTRUMENTS

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**2004 No. 1941**

**The Insolvency Act 2000 (Company Directors  
Disqualification Undertakings) Order 2004**

**Modification of Company Directors Disqualification Act 1986**

2.—(1) The Company Directors Disqualification Act 1986(1) is amended as follows.

(2) After section 12A (2) (Northern Irish disqualification orders) insert—

**“Northern Irish disqualification undertakings**

**12B.** A person subject to a disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002—

- (a) shall not be a director of a company, act as receiver of a company’s property or in any way, whether directly or indirectly, be concerned or take part in the promotion, formation or management of a company unless (in each case) he has the leave of the High Court of Northern Ireland, and
- (b) shall not act as an insolvency practitioner.”

(3) In section 13 (criminal penalties) for “or 12A” substitute “, 12A or 12B”.

(4) In section 14(1) (offences by body corporate) after “12A” insert “or 12B”.

(5) In section 15 (personal liability for company’s debts where person acts while disqualified)—

(a) in subsection (1)—

(i) in paragraph (a) for “or 12A” substitute “, 12A or 12B”,

(ii) in paragraph (b) after “1989” insert “or disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002”, and

(b) in subsection (5) after “1989” insert “or disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002”.

(6) In section 18(4A) (register of disqualification orders) at the end insert “or disqualification undertakings made under the Company Directors Disqualification (Northern Ireland) Order 2002”.

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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) Section 12A was inserted into the Company Directors Disqualification Act 1986 (c. 46) by section 7(1) of the Insolvency Act 2000 (c. 39).