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STATUTORY INSTRUMENTS

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**2012 No. 3014**

**The Charitable Incorporated Organisations  
(Consequential Amendments) Order 2012**

**Amendment of the Company Directors Disqualification Act 1986**

2. Before section 23 of the Company Directors Disqualification Act 1986(1) insert—

**“Application of Act to charitable incorporated organisations**

**22F.**—(1) This Act applies to charitable incorporated organisations (“CIOs”) as it applies to companies.

(2) Accordingly, in this Act—

- (a) references to a company are to be read as including references to a CIO;
- (b) references to a director or an officer of a company are to be read as including references to a charity trustee of a CIO; and
- (c) any reference to the Insolvency Act 1986 is to be read as including a reference to that Act as it applies to CIOs(2).

(3) As they apply in relation to CIOs, the provisions of this Act have effect with the following modifications—

- (a) in section 2(1)(3), the reference to striking off is to be read as including a reference to dissolution;
- (b) in section 4(1)(a)(4), the reference to an offence under section 993 of the Companies Act 2006 is to be read as including a reference to an offence under regulation 60 of the Charitable Incorporated Organisations (General) Regulations 2012(5)(fraudulent trading);
- (c) sections 9A to 9E(6) are to be disregarded;
- (d) references to any of sections 9A to 9E are to be disregarded;
- (e) references to a shadow director are to be disregarded.

(4) In the application of Schedule 1 to the charity trustees of a CIO, references to the provisions of the Companies Act 2006 are to be read as including references to the corresponding provisions (if any) of the Charities Act 2011 and regulations made under that Act.

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(1) 1986 c.46.

(2) The Insolvency Act 1986 (c.45) applies to CIOs by virtue of the Charitable Incorporated Organisations (Insolvency and Dissolution) Regulations 2012 (S.I. 2012/3013), regulation 3.

(3) Section 2 was amended by the Deregulation and Contracting Out Act 1994 (c.40), Schedule 11, paragraph 6 and by the Insolvency Act 2000 (c.39), Schedule 4, Part 1, paragraph 3. There are other amendments to section 2 not relevant to this Order.

(4) Section 4 was amended by S.I. 2007/2194, Schedule 4, Part 3, paragraph 46. There are other amendments to section 4 not relevant to this Order.

(5) S.I. 2012/3012.

(6) Sections 9A to 9E were inserted by the Enterprise Act 2002 (c.40), section 204. There are amendments to the sections not relevant to this Order.

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

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(5) In this section “charity trustees” has the meaning given by section 177 of the Charities Act 2011.”