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STATUTORY INSTRUMENTS

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**2002 No. 3150**

**The Company Directors Disqualification  
(Northern Ireland) Order 2002**

*[<sup>F1</sup>Persons instructing unfit directors*

**[<sup>F1</sup>Order disqualifying person instructing unfit director <sup>F2</sup>...**

**11A.**—(1) The High Court may make a disqualification order against a person (“P”) if, on an application under Article 11B, it is satisfied—

- (a) either—
  - (i) that a disqualification order under Article 9 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 Department has accepted a disqualification undertaking from such a person under Article 10(3), and
- (b) that P exercised the requisite amount of influence over the person.

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

(2) For the purposes of this Article, 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 Article 9, or
- (b) in relation to which the undertaking was accepted from the main transgressor under Article 10(3),

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

(3) 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.

(4) Under this Article the minimum period of disqualification is 2 years and the maximum period is 15 years.]

**F1** Arts. 11A-11E and cross-heading inserted (1.10.2015) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), s. 164(1), [Sch. 8 para. 7](#); S.I. 2015/1689, reg. 2(h) (with [Sch. para. 9](#))

**F2** Words in art. 11A heading omitted (15.12.2021 for specified purposes, 15.2.2022 in so far as not already in force) by virtue of [Rating \(Coronavirus\) and Directors Disqualification \(Dissolved Companies\) Act 2021 \(c. 34\)](#), [ss. 3\(4\)](#), [4\(4\)\(c\)\(5\)](#) (with s. 3(13))

**Changes to legislation:**

There are currently no known outstanding effects for the The Company Directors Disqualification (Northern Ireland) Order 2002, Section 11A.