



Company Directors Disqualification Act 1986

1986 CHAPTER 46

[^{F1}Further provision about disqualification undertakings]

Textual Amendments

- F1** S. 8A cross-heading inserted (26.5.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), s. 164(1), [Sch. 7 para. 9](#); [S.I. 2015/1329, reg. 3\(c\)](#); [S.I. 2015/1689, reg. 2\(g\)](#)

[^{F2}8A Variation etc. of disqualification undertaking.

- (1) The court may, on the application of a person who is subject to a disqualification undertaking—
- (a) reduce the period for which the undertaking is to be in force, or
 - (b) provide for it to cease to be in force.
- (2) On the hearing of an application under subsection (1), the Secretary of State shall appear and call the attention of the court to any matters which seem to him to be relevant, and may himself give evidence or call witnesses.
- [Subsection (2) does not apply to an application in the case of an undertaking given
- ^{F3}(2A) under section 9B, and in such a case on the hearing of the application whichever of the [^{F4}Competition and Markets Authority] or a specified regulator (within the meaning of section 9E) accepted the undertaking—
- (a) must appear and call the attention of the court to any matters which appear to it or him (as the case may be) to be relevant;
 - (b) may give evidence or call witnesses.]

[In this section “the court”—

- ^{F5}(3) [in the case of an undertaking given under section 8ZC has the same meaning
- ^{F6}(za) as in section 8ZA;

Changes to legislation: There are currently no known outstanding effects for the Company Directors Disqualification Act 1986, Cross Heading: Further provision about disqualification undertakings. (See end of Document for details)

- (zb) in the case of an undertaking given under section 8ZE means the High Court or, in Scotland, the Court of Session;]
- (a) in the case of an undertaking given under section 9B means the High Court or (in Scotland) the Court of Session;
- (b) in any other case has the same meaning as in section [^{F7}5A(5),] 7(2) or 8 (as the case may be).]]

Textual Amendments

- F2** S. 8A inserted (2.4.2001) by 2000 c. 39, s. 6(5); S.I. 2001/766, art. 2(1)(a) (subject to transitional provisions in art. 3)
- F3** S. 8A(2A) inserted (20.6.2003) by 2002 c. 40, ss. 204(4), 279; S.I. 2003/1397, art. 2, Sch.
- F4** Words in s. 8A(2A) substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), Sch. 1 para. 53(a) (with art. 3)
- F5** S. 8A(3) substituted (20.6.2003) by 2002 c. 40, ss. 204(5), 279; S.I. 2003/1397, art. 2, Sch.
- F6** S. 8A(3)(za)(zb) inserted (26.5.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Small Business, Enterprise and Employment Act 2015 (c. 26), s. 164(1), Sch. 7 para. 10(a); S.I. 2015/1329, reg. 3(c); S.I. 2015/1689, reg. 2(g)
- F7** Word in s. 8A(3)(b) inserted (26.5.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Small Business, Enterprise and Employment Act 2015 (c. 26), s. 164(1), Sch. 7 para. 10(b); S.I. 2015/1329, reg. 3(c); S.I. 2015/1689, reg. 2(g)

Modifications etc. (not altering text)

- C1** Ss. 6-10 applied (with modifications) by S.I. 1994/2421, art. 16, Sch. 8 (as amended (E.W.) (8.12.2017) by The Insolvency (Miscellaneous Amendments) Regulations 2017 (S.I. 2017/1119), reg. 1(1), Sch. 2 paras. 4, 8)

^{F8}9 Matters for determining unfitness of directors.

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Textual Amendments

- F8** S. 9 omitted (26.5.2015 for specified purposes, 1.10.2015 in so far as not already in force) by virtue of Small Business, Enterprise and Employment Act 2015 (c. 26), ss. 106(4), 164(1); S.I. 2015/1329, reg. 3(c); S.I. 2015/1689, reg. 2(d)

Modifications etc. (not altering text)

- C1** Ss. 6-10 applied (with modifications) by S.I. 1994/2421, art. 16, Sch. 8 (as amended (E.W.) (8.12.2017) by The Insolvency (Miscellaneous Amendments) Regulations 2017 (S.I. 2017/1119), reg. 1(1), Sch. 2 paras. 4, 8)

Changes to legislation:

There are currently no known outstanding effects for the Company Directors Disqualification Act 1986, Cross Heading: Further provision about disqualification undertakings.