

SCHEDULES

SCHEDULE 8

NORTHERN IRELAND: PROVISION CORRESPONDING TO SECTIONS 104 TO 111

Amendments consequential on, or related to, amendments made by paragraphs 2 to 8

- 9 (1) The 2002 Order is amended as follows.
- (2) In Article 2(2) (interpretation), after the definition of “the official receiver” insert—
““overseas company” is a company which is incorporated or formed outside Northern Ireland;”.
- (3) In Article 3 (disqualification orders: general), in paragraph (2), for “Article 9” substitute “Articles 9 and 11A”.
- (4) In Article 4 (disqualification undertakings: general)—
(a) in paragraph (1), for “10 and 11” substitute “8A, 10, 11, 11C and 11E”, and
(b) in paragraph (2), after “10” insert “or 11C”.
- (5) In Article 5 (disqualification on conviction of offence punishable only on indictment or either on indictment or summary conviction), after paragraph (1) insert—
“(1A) In paragraph (1), “company” includes overseas company.”
- (6) In Article 6 (disqualification for persistent default under companies legislation), after paragraph (3A) insert—
“(3B) In this Article “company” includes overseas company.”
- (7) In Article 8 (disqualification on summary conviction of offence), after paragraph (4A) insert—
“(4B) In this Article “company” includes overseas company.”
- (8) In Article 9 (duty of High Court to disqualify unfit directors of insolvent companies), in paragraph (2), omit “and Article 10”.
- (9) In Article 10 (disqualifications under Article 9: applications and undertakings), after paragraph (5) insert—
“(6) Paragraphs (1A) and (2) of Article 9 apply for the purposes of this Article as they apply for the purposes of that Article.”
- (10) Before Article 12 insert—

“Further provision about disqualification undertakings”.
- (11) In Article 14 (participation in wrongful trading), after paragraph (2) insert—
“(3) In this Article “company” includes overseas company.”

Status: This is the original version (as it was originally enacted).

- (12) In Article 20 (application for disqualification order), in paragraph (2), after “any company” insert “or overseas company”.
- (13) In Article 22 (register of disqualification orders and undertakings), in paragraph (3)
 - (a) for “10 or 11” substitute “8A, 10, 11, 11C or 11E”.
- (14) In Article 23 (admissibility in evidence of statements), in paragraph (1)—
 - (a) for “9 to 14” substitute “8A to 14, 17A”, and
 - (b) after “or 19” insert “to 19C”.
- (15) In Article 24 (interaction with the Insolvency (Northern Ireland) Order 1989), in paragraphs (1) and (2)—
 - (a) for “9 to 14” substitute “8A to 14, 17A”, and
 - (b) after “or 19” insert “to 19C”.
- (16) In Article 24D (application of Order to building societies), omit paragraph (4).
- (17) Omit Article 24E (application of Order to open-ended investment companies).
- (18) In Article 25 (application of Order to incorporated friendly societies)—
 - (a) after paragraph (3) insert—
 - “(3A) In relation to an incorporated friendly society, this Order applies as if Articles 11A to 11E were omitted.”, and
 - (b) omit paragraph (4).
- (19) In Article 25A (application of Order to registered societies)—
 - (a) omit paragraph (2)(d),
 - (b) after paragraph (2)(f) insert—
 - “(g) Articles 11A to 11E are to be disregarded.”, and
 - (c) omit paragraph (3).