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STATUTORY INSTRUMENTS

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**2001 No. 3649**

The Financial Services and Markets Act 2000  
(Consequential Amendments and Repeals) Order 2001

PART 2

AMENDMENTS TO THE COMPANIES LEGISLATION

*Company Directors Disqualification Act 1986 (c. 46)*

**Disqualification after investigation of company**

**39.** In section 8 of the Company Directors Disqualification Act 1986 (disqualification after company investigation)(**1**), for subsection (1) substitute—

“(1) If it appears to the Secretary of State from investigative material that it is expedient in the public interest that a disqualification order should be made against a person who is, or has been, a director or shadow director of a company, he may apply to the court for such an order.

(1A) “Investigative material” means—

(a) a report made by inspectors under—

- (i) section 437 of the Companies Act 1985;
- (ii) section 167, 168, 169 or 284 of the Financial Services and Markets Act 2000; or
- (iii) where the company is an open-ended investment company (within the meaning of that Act) regulations made as a result of section 262(2)(k) of that Act; and

(b) information or documents obtained under—

- (i) section 447 or 448 of the Companies Act 1985;
- (ii) section 2 of the Criminal Justice Act 1987;
- (iii) section 28 of the Criminal Law (Consolidation)(Scotland) Act 1995;
- (iv) section 83 of the Companies Act 1989; or
- (v) section 165, 171, 172, 173 or 175 of the Financial Services and Markets Act 2000.”.

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(1) Amended by the Financial Services Act 1986 (s. 60), section 198; the [Criminal Justice \(Scotland\) Act 1987 \(c.\)](#), section 55; the Companies Act 1989 (c. 40), section 79; the [Criminal Procedure \(Consequential Provisions\) \(Scotland\) Act 1995 \(c.\)](#), Schedule 4, paragraph 62.