

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

215.—(1) Schedule 1 (matters for determining unfitness of directors) is amended as follows.

(2) In paragraph 1 (breach of duty), at the end insert “, including in particular any breach by the director of a duty under Chapter 2 of Part 10 of the Companies Act 2006 (general duties of directors) owed to the company”.

(3) In paragraph 3, for “the Insolvency Order” substitute “ the Insolvency (Northern Ireland) Order 1989 ”.

(4) For paragraph 4 substitute—

“**4.** The extent of the director's responsibility for any failure by the company to comply with any of the following provisions of the Companies Act 2006—

section 113 (register of members);

section 114 (register to be kept available for inspection);

section 162 (register of directors);

section 165 (register of directors' residential addresses);

section 167 (duty to notify registrar of changes: directors);

section 275 (register of secretaries);

section 276 (duty to notify registrar of changes: secretaries);

section 386 (duty to keep accounting records);

section 388 (where and for how long accounting records to be kept);

section 854 (duty to make annual returns);

section 860 (duty to register charges).”.

(5) Omit paragraph 6^{M1} (application of Part 1 of Schedule to directors of open-ended investment companies) (but see Article 24E(3)).

(6) Omit paragraph 7 (application of Part 1 of Schedule to directors of building societies) (but see Article 24D(4)).

(7) In paragraphs 10 to 12, for “the Insolvency Order” substitute “ the Insolvency (Northern Ireland) Order 1989 ”.

Marginal Citations

M1 Paragraph 6 was substituted by S.R. (NI) 2004 No 335, Schedule 7, paragraph 8.

Changes to legislation:

There are currently no known outstanding effects for the The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009, Paragraph 215.