

1991 No. 413**COMPANIES****The Companies (Disqualification Orders) Regulations
(Northern Ireland) 1991**

Made 6th September 1991

Coming into operation 1st October 1991

The Department of Economic Development, in exercise of the powers conferred on it by Article 21(1) and (4) of the Companies (Northern Ireland) Order 1989(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Companies (Disqualification Orders) Regulations (Northern Ireland) 1991 and shall come into operation on 1st October 1991.

Interpretation

2. In these Regulations—

“the Order” means the Companies (Northern Ireland) Order 1989;

“disqualification order” means an order of the court made under any of Articles 5 to 9, 11 and 13 of the Order; and

“grant of leave” means a grant by the High Court of leave to any person in relation to a disqualification order.

Application and revocation

3.—(1) These Regulations apply in relation to a disqualification order made after the coming into operation of these Regulations and to a grant of leave made, or any action taken by a court in consequence of which a disqualification order is varied or ceases to be in force, made or taken after that date, in relation to a disqualification order made before, on or after that date.

(2) The Companies (Disqualification Orders) Regulations (Northern Ireland) 1986(b) and Regulation 4(1) of the Companies (Consolidation of Fees) Regulations (Northern Ireland) 1987(c) are hereby revoked.

(a) S.I. 1989/2404 (N.I. 18)

(b) S.R. 1986 No. 304

(c) S.R. 1987 No. 258

Notification of variance of order

4. Where a disqualification order is made and subsequently any action is taken by a court in consequence of which that order is varied or ceases to be in force, the clerk of the court shall furnish to the Department the particulars specified in Regulation 5(4) in the form and manner there specified.

Forms

5.—(1) The form set out in Schedule 1 is the form prescribed for the purposes of Article 21(1) of the Order when the person against whom the disqualification order is made is an individual and the particulars contained therein are the particulars prescribed for that purpose.

(2) The form set out in Schedule 2 is the form prescribed for the purposes of Article 21(1) of the Order when the person against whom the disqualification order is made is a corporation and the particulars contained therein are the particulars prescribed for that purpose.

(3) The form set out in Schedule 3 is the form prescribed for the purposes of Article 21(1) of the Order when the court grants leave to any person in relation to a disqualification order and the particulars contained therein are the particulars prescribed for that purpose.

(4) The form set out in Schedule 4 is the form prescribed for the purposes of Article 21(1) of the Order when a disqualification order is varied or ceases to be in force, and the particulars contained therein are the particulars prescribed for that purpose.

Time for delivery of particulars

6. The time within which the clerk of the court is required by Regulation 4 to furnish to the Department the particulars prescribed by Regulation 5 shall be 14 days beginning with the day on which the disqualification order or grant of leave is made, or any action is taken by a court in consequence of which the disqualification order is varied or ceases to be in force, as the case may be.

Sealed with the Official Seal of the Department of Economic
Development on 6th September 1991.

(L.S.)

A. H. McAlister

Assistant Secretary

THE COMPANIES (NORTHERN IRELAND)
ORDER 1989

FORM No. D.O.1.

**Particulars of a disqualification
order made against an individual**

I herewith furnish the Department of Economic Development with the following particulars of a disqualification order made against an individual as required by the Companies (Disqualification Orders) Regulations (Northern Ireland) 1991:

1 Article of the Companies (Northern Ireland) Order 1989 under which the order was made:

Please tick appropriate box

- Article 5
- Article 6
- Article 7
- Article 8
- Article 9
- Article 11
- Article 13

2 Name of the individual against whom the order was made:

* 'Surname' in the case of a peer or person usually known by a title different from his surname means that title

Mr, Mrs, Miss, etc.	Surname*	Other Names
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3 Usual residential address of the person at the date of the order:

	Postcode

4 Date of birth of person (if known)

Day	Month	Year
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5 Date on which the order was made

Day	Month	Year
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6 Period of disqualification specified in the order:

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Signed _____ Date _____

Name _____ Position _____ Court _____

Please send this form to:—

The Department of Economic Development
Insolvency Service
Lindsay House
8-14 Callender Street
Belfast BT1 5DU

THE COMPANIES (NORTHERN IRELAND)
ORDER 1989

FORM No. D.O.2.

**Particulars of a disqualification
order made against a body corporate**

I herewith furnish the Department of Economic Development with the following particulars of a disqualification order made against a body corporate as required by the Companies (Disqualification Orders) Regulations (Northern Ireland) 1991:

1 Article of the Companies (Northern Ireland) Order 1989 under which the order was made:

Please tick appropriate box

- Article 5
- Article 6
- Article 7
- Article 8
- Article 9
- Article 11
- Article 13

2 Particulars of the body corporate against whom the order was made:

Corporate Name	Registered Number
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3 Address of registered or principal office in Northern Ireland of the body corporate at the date of the order:

	Postcode

4 Date on which the order was made

Day	Month	Year

5 Period of disqualification specified in the order:

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Signed _____ Date _____

Name _____ Position _____ Court _____

Please send this form to:—

The Department of Economic Development
 Insolvency Service
 Lindsay House
 8-14 Callender Street
 Belfast BT1 5DU

THE COMPANIES (NORTHERN IRELAND)
ORDER 1989

FORM No. D.O.3.

**Particulars of the grant of leave in
relation to a disqualification order**

I herewith furnish the Department of Economic Development with the following particulars of the grant of leave in relation to a disqualification order as required by the Companies (Disqualification Orders) Regulations (Northern Ireland) 1991:

1 Date of disqualification order in relation to which leave was granted:

Day	Month	Year
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2 Court which made the disqualification order in relation to which leave was granted:

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3 Name of person to whom leave was granted:

(a) if an individual:

Mr, Mrs, Miss, etc.	Surname*	Other Names
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(b) if a body corporate, the corporate name and registered number (if any):

Corporate Name	Registered Number
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4 If the name in which the disqualification order was made was different from that at (3) above, the name in which that order was made:

(a) if an individual:

Mr, Mrs, Miss, etc.	Surname*	Other Names
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(b) if a body corporate, the corporate name and registered number (if any):

Corporate Name	Registered Number
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5 Name of company in respect of which leave was granted, or in the case of leave to promote or form a company, the proposed name of the company where it is available, or if not, a brief description of the activities of the company:

* 'Surname' in the case of a peer or person usually known by a title different from his surname means that title

6 Date on which the leave was granted

Day	Month	Year
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†Please tick appropriate box(es)

7 Activity for which leave was granted:†

Promotion
 Formation
 Directorship or other participation in management

Liquidation or administration
 Receivership or management
 of the property of the company

Signed _____ Date _____

Name _____ Position _____ High Court _____

Please send this form to:—

The Department of Economic Development
 Insolvency Service
 Lindsay House
 8-14 Callender Street
 Belfast BT1 5DU

THE COMPANIES (NORTHERN IRELAND)
ORDER 1989

FORM No. D.O.4.

**Particulars of the variation or cessation
of a disqualification order**

I herewith furnish the Department of Economic Development with the following particulars of the action taken by a court whereby a disqualification order made by this court under the Companies (Northern Ireland) Order 1989 was varied or ceased to be in force:

1 Date on which disqualification order was made by this court:

Day	Month	Year
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2 Name of person against whom disqualification order was made:

(a) if an individual:

Mr, Mrs, Miss, etc.	Surname*	Other Names
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(b) if a body corporate, the corporate name and registered number (if any):

Corporate Name	Registered Number
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3 Name of court by which action was taken whereby the above order was varied or ceased to be in force:

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4 Result of such action†

(a) order ceased to be in force

(b) order varied

If (b), state period of disqualification now specified in the order (to run from the date on which the order was originally made)

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Signed _____ Date _____

Name _____ Position _____ Court _____

* 'Surname' in the case of a peer or person usually known by a title different from his surname means that title

†Please tick appropriate box

Please send this form to:—

The Department of Economic Development
Insolvency Service
Lindsay House
8-14 Callender Street
Belfast BT1 5DU

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, which come into operation on 1st October 1991, revoke and replace the Companies (Disqualification Orders) Regulations (Northern Ireland) 1986 and also take account of the additional grounds for disqualification introduced by the Companies (Northern Ireland) Order 1989 (“the 1989 Order”).

The 1989 Order gives specified courts power to make a disqualification order against a person which provides that he shall not, without leave of the High Court be a director, or liquidator or administrator of a company, or receiver or manager of a company’s property, or be concerned or take part in the promotion, formation or management of a company, for a specified period.

These Regulations require court clerks to provide the Department of Economic Development with particulars of disqualification orders and the granting of leave in relation to such orders, and of any action taken by a court in consequence of which such orders are varied or cease to be in force. They also prescribe the form and time in which they must be given.

These Regulations also revoke Regulation 4(1) of the Companies (Consolidation of Fees) Regulations (Northern Ireland) 1987, which provided for a fee of 5p to be paid for inspecting the register of disqualification orders kept by the Department of Economic Development.