



Company Directors Disqualification Act 1986

CHAPTER 46

COMPANY DIRECTORS DISQUALIFICATION ACT 1986

Preliminary

- 1 Disqualification orders: general.
- 1A Disqualification undertakings: general.

Disqualification for general misconduct in connection with companies

- 2 Disqualification on conviction of indictable offence.
- 3 Disqualification for persistent breaches of companies legislation.
- 4 Disqualification for fraud, etc., in winding up.
- 5 Disqualification on summary conviction.
- 5A Disqualification for certain convictions abroad

Disqualification for unfitness

- 6 Duty of court to disqualify unfit directors of insolvent companies.
- 7 Disqualification orders under section 6: applications and acceptance of undertakings
- 7A Office-holder's report on conduct of directors
- 8 Disqualification of director on finding of unfitness.

Persons instructing unfit directors

- 8ZA Order disqualifying person instructing unfit director of insolvent company
- 8ZB Application for order under section 8ZA
- 8ZC Disqualification undertaking instead of an order under section 8ZA

Status: Point in time view as at 01/03/2016.

Changes to legislation: Company Directors Disqualification Act 1986 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 8ZD Order disqualifying person instructing unfit director: other cases
- 8ZE Disqualification undertaking instead of an order under section 8ZD

Further provision about disqualification undertakings

- 8A Variation etc. of disqualification undertaking.
- 9 Matters for determining unfitness of directors.

Disqualification for competition infringements

- 9A Competition disqualification order
- 9B Competition undertakings
- 9C Competition investigations
- 9D Co-ordination
- 9E Interpretation

Other cases of disqualification

- 10 Participation in wrongful trading.
- 11 Undischarged bankrupts.
- 12 Failure to pay under county court administration order.
- 12A Northern Irish disqualification orders.
- 12B Northern Irish disqualification undertakings
- 12C Determining unfitness etc: matters to be taken into account

Consequences of contravention

- 13 Criminal penalties.
- 14 Offences by body corporate.
- 15 Personal liability for company's debts where person acts while disqualified.

Compensation orders and undertakings

- 15A Compensation orders and undertakings
- 15B Amounts payable under compensation orders and undertakings
- 15C Variation and revocation of compensation undertakings

Supplementary provisions

- 16 Application for disqualification order.
- 17 Application for leave under an order or undertaking.
- 18 Register of disqualification orders and undertakings.
- 19 Special savings from repealed enactments.

Miscellaneous and general

- 20 Admissibility in evidence of statements.
- 20A Legal professional privilege
- 21 Interaction with Insolvency Act 1986 .
- 21A Bank insolvency
- 21B Bank administration
- 21C Building society insolvency and special administration
- 22 Interpretation.
- 22A Application of Act to building societies.
- 22B Application of Act to incorporated friendly societies.

Status: Point in time view as at 01/03/2016.

Changes to legislation: Company Directors Disqualification Act 1986 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 22C Application of Act to NHS foundation trusts
- 22D Application of Act to open-ended investment companies
- 22E Application of Act to registered societies
- 22F Application of Act to charitable incorporated organisations
- 23 Transitional provisions, savings, repeals.
- 24 Extent.
- 25 Commencement.
- 26 Citation.

SCHEDULES

SCHEDULE 1 — Determining unfitness etc: matters to be taken into account

Matters to be taken into account in all cases

- 1 The extent to which the person was responsible for the...
- 2 Where applicable, the extent to which the person was responsible...
- 3 The frequency of conduct of the person which falls within...
- 4 The nature and extent of any loss or harm caused,...

Additional matters to be taken into account where person is or has been a director

- 5 Any misfeasance or breach of any fiduciary duty by the...
- 6 Any material breach of any legislative or other obligation of...
- 7 The frequency of conduct of the director which falls within...

Interpretation

- 8 Subsections (1A) to (2A) of section 6 apply for the...
- 9 In this Schedule “director” includes a shadow director...

SCHEDULE 2 — Savings from Companies Act 1981 ss. 93, 94, and Insolvency Act 1985 Schedule 9

- 1 Sections 2 and 4(1)(b) do not apply in relation to...
- 2 Subject to paragraph 1— (a) section 2 applies in a...
- 3 Subject to paragraph 1, section 4 applies in relation to...
- 4 The powers of a court under section 5 are not...
- 5 For purposes of section 3(1) and section 5, no account...
- 6 An order made under section 28 of the Companies Act...
- 7 Where— (a) an application is made for a disqualification order...
- 8 An application shall not be made under section 8 of...

SCHEDULE 3 — Transitional Provisions and Savings

- 1 In this Schedule, “the former enactments” means so much of...
- 2 So far as anything done or treated as done under...
- 3 Where any period of time specified in a provision of...
- 4 Where in any provision of this Act there is a...
- 5 Offences committed before the appointed day under any provision of...
- 6 A reference in any enactment, instrument or document (whether express...

SCHEDULE 4 — Repeals

Status:

Point in time view as at 01/03/2016.

Changes to legislation:

Company Directors Disqualification Act 1986 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.