



# Company Directors Disqualification Act 1986

## 1986 CHAPTER 46

### *Preliminary*

#### **1 Disqualification orders: general.**

- (1) In the circumstances specified below in this Act a court may, and under [<sup>F1</sup>sections 6 and 9A] shall, make against a person a disqualification order, that is to say an order that [<sup>F2</sup>for a period specified in the order—
  - (a) he shall not be a director of a company, act as receiver of a company's property or in any way, whether directly or indirectly, be concerned or take part in the promotion, formation or management of a company unless (in each case) he has the leave of the court, and
  - (b) he shall not act as an insolvency practitioner.]
- (2) In each section of this Act which gives to a court power or, as the case may be, imposes on it the duty to make a disqualification order there is specified the maximum (and, in [<sup>F3</sup>sections 6 and 8ZA], the minimum) period of disqualification which may or (as the case may be) must be imposed by means of the order [<sup>F4</sup>and, unless the court otherwise orders, the period of disqualification so imposed shall begin at the end of the period of 21 days beginning with the date of the order].
- (3) Where a disqualification order is made against a person who is already subject to such an order [<sup>F5</sup>or to a disqualification undertaking], the periods specified in those orders [<sup>F5</sup>or, as the case may be, in the order and the undertaking] shall run concurrently.
- (4) A disqualification order may be made on grounds which are or include matters other than criminal convictions, notwithstanding that the person in respect of whom it is to be made may be criminally liable in respect of those matters.

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#### **Textual Amendments**

**F1** Words in s. 1(1) substituted (20.6.2003) by 2002 c. 40, ss. 204(3), 279; S.I. 2003/1397, art. 2, Sch.

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*Status: Point in time view as at 31/01/2019. This version of this provision has been superseded.*

*Changes to legislation: Company Directors Disqualification Act 1986, Section 1 is up to date with all changes known to be in force on or before 20 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)*

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- F2** Words in s. 1(1) substituted (2.4.2001) by 2000 c. 39, s. 5(1); S.I. 2001/766, art. 2(1)(a) (subject to transitional provisions in art. 3)
- F3** Words in s. 1(2) substituted (26.5.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Small Business, Enterprise and Employment Act 2015 (c. 26), s. 164(1), Sch. 7 para. 2; S.I. 2015/1329, reg. 3(c); S.I. 2015/1689, reg. 2(g)
- F4** Words in s. 1(2) inserted (2.4.2001) by 2000 c. 39, s. 5(2); S.I. 2001/766, art. 2(1)(a) (subject to transitional provisions in art. 3)
- F5** Words in s. 1(3) inserted (2.4.2001) by 2000 c. 39, s. 8, Sch. 4 Pt. 1 para. 2; S.I. 2001/766, art. 2(1)(a) (subject to transitional provisions in art. 3)

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**Modifications etc. (not altering text)**

- C1** Ss. 1, 2 extended (with modifications) (1.7.1989) by S.I. 1989/638, regs. 20, 21
- C2** S. 1 applied (with modifications) by S.I. 1994/2421, art. 16, Sch. 8 (as amended (E.W.) (8.12.2017) by The Insolvency (Miscellaneous Amendments) Regulations 2017 (S.I. 2017/1119), reg. 1(1), Sch. 2 paras. 4, 8)

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