



# Company Directors Disqualification Act 1986

## 1986 CHAPTER 46

*Disqualification for general misconduct in connection with companies*

### **[<sup>F1</sup>5A Disqualification for certain convictions abroad**

- (1) If it appears to the Secretary of State that it is expedient in the public interest that a disqualification order under this section should be made against a person, the Secretary of State may apply to the court for such an order.
- (2) The court may, on an application under subsection (1), make a disqualification order against a person who has been convicted of a relevant foreign offence.
- (3) A “relevant foreign offence” is an offence committed outside Great Britain—
  - (a) in connection with—
    - (i) the promotion, formation, management, liquidation or striking off of a company (or any similar procedure),
    - (ii) the receivership of a company's property (or any similar procedure), or
    - (iii) a person being an administrative receiver of a company (or holding a similar position), and
  - (b) which corresponds to an indictable offence under the law of England and Wales or (as the case may be) an indictable offence under the law of Scotland.
- (4) Where it appears to the Secretary of State that, in the case of a person who has offered to give a disqualification undertaking—
  - (a) the person has been convicted of a relevant foreign offence, and
  - (b) it is expedient in the public interest that the Secretary of State should accept the undertaking (instead of applying, or proceeding with an application, for a disqualification order),the Secretary of State may accept the undertaking.
- (5) In this section—

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*Status: Point in time view as at 01/10/2015. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Company  
Directors Disqualification Act 1986, Section 5A. (See end of Document for details)*

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“company” includes an overseas company;

“the court” means the High Court or, in Scotland, the Court of Session.

(6) The maximum period of disqualification under an order under this section is 15 years.]

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**Textual Amendments**

**F1** S. 5A inserted (26.5.2015 for specified purposes, 1.10.2015 in so far as not already in force with effect in accordance with s. 104(2) of the amending Act) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), [ss. 104\(1\)](#), [164\(1\)](#) (with s. 104(2)); S.I. 2015/1329, reg. 3(c); S.I. 2015/1689, reg. 2(c) (with Sch. para. 3)

**Status:**

Point in time view as at 01/10/2015. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Company Directors Disqualification Act 1986, Section 5A.