



Company Directors Disqualification Act 1986

1986 CHAPTER 46

Disqualification for unfitness

9 Matters for determining unfitness of directors.

- (1) Where it falls to a court to determine whether a person's conduct as a director or shadow director or any particular company or companies makes him unfit to be concerned in the management of a company, the court shall, as respects his conduct as a director of that company or, as the case may be, each of those companies, have regard in particular—
 - (a) to the matters mentioned in Part I of Schedule 1 to this Act, and
 - (b) where the company has become insolvent, to the matters mentioned in Part II of that Schedule;and references in that Schedule to the director and the company are to be read accordingly.
- (2) Section 6(2) applies for the purposes of this section and Schedule 1 as it applies for the purposes of sections 6 and 7.
- (3) Subject to the next subsection, any reference in Schedule 1 to an enactment contained in the Companies Act or the Insolvency Act includes, in relation to any time before the coming into force of that enactment, the corresponding enactment in force at that time.
- (4) The Secretary of State may by order modify any of the provisions of Schedule 1; and such an order may contain such transitional provisions as may appear to the Secretary of State necessary or expedient.
- (5) The power to make orders under this section is exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Company Directors Disqualification Act 1986, Section 9 is up to date with all changes known to be in force on or before 13 August 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)

Modifications etc. (not altering text)

- C1** Ss. 9, 10 extended (with modifications) by S.I. 1986/2142, **art. 6**
- C2** Ss. 9, 10 extended (with modifications) (1.7.1989) by S.I. 1989/638, **regs. 20, 21**
- C3** S. 9 applied (with modifications) (1.12.1994) by S.I. 1994/2421, art. 16, **Sch. 8**

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