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STATUTORY INSTRUMENTS

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**2005 No. 1967 (N.I. 17)**

The Companies (Audit, Investigations and Community Enterprise) (Northern Ireland) Order 2005 (revoked)

THE COMPANIES (AUDIT, INVESTIGATIONS AND COMMUNITY ENTERPRISE) (NORTHERN IRELAND) ORDER 2005 (REVOKED)

PART I

INTRODUCTORY

1. Title and commencement
2. Interpretation

PART II

AUDITORS, ACCOUNTS, DIRECTORS' LIABILITIES AND INVESTIGATIONS

CHAPTER I

AUDITORS

*Recognised supervisory bodies*

3. Additional requirements for recognition of supervisory bodies
4. Arrangements to which additional requirements for recognition relate

*Delegation of functions of Department in relation to auditors*

5. Delegation of functions by Department to new or existing body
6. Circumstances in which the Department may delegate functions to existing body
7. Supplementary provisions about delegation orders

*Auditors' qualifications*

8. Approval of overseas qualifications for auditors

*Services provided by auditors*

9. Disclosure of services provided by auditors and related remuneration

CHAPTER II

ACCOUNTS AND REPORTS

**Changes to legislation:** There are currently no known outstanding effects for the The Companies (Audit, Investigations and Community Enterprise) (Northern Ireland) Order 2005 (revoked). (See end of Document for details)

*Auditing of accounts*

10. Auditors' rights to information
11. Statement in directors' report as to disclosure of information to auditors

*Defective accounts*

12. Persons authorised to apply to court in connection with defective accounts
13. Power of person authorised to require documents, information and explanations

*Directors' reports*

14. Power to specify bodies who may issue reporting standards
15. Application of provisions inserted by Article 13 to certain bodies

*Bodies concerned with accounting standards etc.*

16. Grants to bodies concerned with accounting standards etc.
17. Exemption from liability

CHAPTER III

DIRECTORS' LIABILITIES

18. Relaxation of prohibition on provisions protecting directors etc. from liability
19. Funding of director's expenditure on defending proceedings

CHAPTER IV

INVESTIGATIONS

20. Power to require documents and information
21. Protection in relation to certain disclosures
22. Power to enter and remain on premises
23. Failure to comply with certain requirements

CHAPTER V

MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

24. Minor and consequential amendments and repeals

PART III

COMMUNITY INTEREST COMPANIES

*Introductory*

25. Community interest companies
26. Regulator
27. Appeal Officer
28. Official Property Holder

**Changes to legislation:** There are currently no known outstanding effects for the The Companies (Audit, Investigations and Community Enterprise) (Northern Ireland) Order 2005 (revoked). (See end of Document for details)

### *Requirements*

29. Cap on distributions and interest
30. Distribution of assets on winding up
31. Memorandum and articles
32. Names
33. Community interest company reports
34. Community interest test and excluded companies

### *Becoming a community interest company*

35. New companies
36. Existing companies: requirements
37. Existing companies: decisions etc.
38. Existing companies: charities

### *Supervision by Regulator*

39. Conditions for exercise of supervisory powers
40. Investigation
41. Audit
42. Civil proceedings
43. Appointment of director
44. Removal of director
45. Appointment of manager
46. Property
47. Transfer of shares etc.
48. Petition for winding up
49. Dissolution and striking off

### *Change of status*

50. Re-registration
51. Ceasing to be a community interest company
52. Becoming a charity: requirements
53. Becoming a charity: decisions
54. Becoming an industrial and provident society

### *Supplementary*

55. Fees
56. Extension of provisions about registrar etc.
57. Information
58. Orders made by Regulator
59. Regulations
60. Interpretation of Part III  
Signature

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SCHEDULE 1 —

In the 1986 Order, after Schedule 7A insert— SCHEDULE 7B...

SCHEDULE 2 — MINOR AND CONSEQUENTIAL AMENDMENTS RELATING  
TO PART II

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## PART I — AMENDMENTS RELATING TO AUDITORS

### *Companies (Northern Ireland) Order 1990 (NI 5)*

1. The 1990 Order has effect subject to the following amendments....
2. In Article 33(5), for “Parts I and II” substitute “...
3. In Articles 42(1)(a) and 49(3)(c), for “established” substitute “designated...”

## PART II — AMENDMENTS RELATING TO ACCOUNTS AND REPORTS

### *Companies (Northern Ireland) Order 1986 (NI 6)*

4. The 1986 Order has effect subject to the following amendments....
5. In Article 257E(2)(d) (rights to information)— (a) for “Article 397A(1)...
6. In Article 680(1) and (2)(a) (prosecution by public authorities), after...
7. In Article 680A(1) (offences by body corporate), after “253E(3)” insert...
8. In Article 680B(1) (criminal proceedings against unincorporated bodies)—
9. (1) Schedule 23 (punishment of offences) is amended as follows....

## PART III — AMENDMENTS RELATING TO INVESTIGATIONS

### *Companies (Northern Ireland) Order 1986 (NI 6)*

10. The 1986 Order has effect subject to the following amendments....
11. After Article 440 (Department's power to require production of documents)...
12. For Article 442 (provision for security of information obtained) substitute —...
13. For Article 444 (punishment for furnishing false information) substitute— Punishment...
14. (1) Article 444A (disclosure of information by Department or inspector)...
15. In Article 445 (privileged information)— (a) for paragraph (1) substitute —...
16. In Article 680 (prosecution by public authorities)—
17. In Article 680A (offences by bodies corporate)—
18. In Article 680B(1) (criminal proceedings against unincorporated bodies), for “440...”
19. After Schedule 15B insert— SCHEDULE 15C SPECIFIED PERSONS  
The Secretary of State. The Department. The Treasury. The Lord Advocate. The Director of Public Prosecutions. The Director of Public Prosecutions for Northern Ireland. The Financial Services Authority. A constable. A procurator fiscal. The Scottish Ministers. SCHEDULE 15D DISCLOSURES A disclosure for the purpose of enabling or assisting a...
20. (1) Schedule 23 (punishment of offences) is amended as follows....

### *Insolvency (Northern Ireland) Order 1989 (NI 19)*

21. In Article 104A(1)(a) of the Insolvency (Northern Ireland) Order 1989...

### *Companies Act 1989 (c. 40)*

22. In the table in section 87(4) of the Companies Act...

### *Criminal Justice and Police Act 2001 (c. 16)*

23. In paragraph 17 of Schedule 2 to the Criminal Justice...

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*Anti-terrorism, Crime and Security Act 2001 (c. 24)*

24. In paragraph 59 of Schedule 4 to the Anti-terrorism, Crime...

*Company Directors Disqualification (Northern Ireland) Order 2002 (NI 4)*

25. In Article 11(2)(b)(i) of the Company Directors Disqualification (Northern Ireland)...

SCHEDULE 3 — REPEALS

SCHEDULE 4 — REGULATOR OF COMMUNITY INTEREST COMPANIES FOR NORTHERN IRELAND

*Regulator's terms of appointment*

1. (1) The period for which a person is appointed as...

*Remuneration and pensions*

2. (1) The Department may pay remuneration and travelling and other...

*Staff*

3. (1) The Regulator may, after consulting the Department of Finance...

*Delegation of functions*

4. Anything which the Regulator is authorised or required to do...

*Finance*

5. The Department may make payments to the Regulator.

*Reports and other information*

6. (1) The Regulator must, in respect of each financial year,...

*Amendments*

7. In Schedule 2 to the Commissioner for Complaints (Northern Ireland)...
8. In Part III of Schedule 1 to the Northern Ireland...

SCHEDULE 5 — APPEAL OFFICER FOR COMMUNITY INTEREST COMPANIES FOR NORTHERN IRELAND

*Appeal Officer's terms of appointment*

1. (1) The Appeal Officer holds office for the period determined...

*Remuneration and pensions*

2. (1) The Department may pay remuneration and travelling and other...

*Finance*

3. The Department may make payments to the Appeal Officer.

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*Procedure*

- (1) Regulations may make provision about the practice and procedure...

*Amendments*

- In Schedule 2 to the Commissioner for Complaints (Northern Ireland)...
- In Part III of Schedule 1 to the Northern Ireland...

SCHEDULE 6 — OFFICIAL PROPERTY HOLDER FOR COMMUNITY INTEREST COMPANIES FOR NORTHERN IRELAND

*Status*

- (1) The Official Property Holder is a corporation sole.

*Relationship with Regulator*

- The Regulator must make available to the Official Property Holder...

*Effect of vacancy*

- The Regulator must appoint a member of the Regulator's staff...

*Property*

- (1) The Official Property Holder holds property vested in or...

*Finance*

- (1) The Official Property Holder may recover his expenses in...

*Reports*

- (1) As soon as possible after the end of each...

SCHEDULE 7 — COMMUNITY INTEREST COMPANIES: NAMES

*Companies (Northern Ireland) Order 1986 (NI 6)*

- (1) Article 36 (prohibition on registration of certain names) is...
- In Article 37(4) (alternatives of statutory designations), after sub-paragraph (b)...
- In Article 40(7) (further exemptions for company exempt from using...
- After Article 44 insert— Penalty for improper use of “community...
- In Article 53(2)(b) (re-registration of private company as public: alteration...
- In Article 359(1)(d) (particulars in correspondence to indicate that a...
- (1) Schedule 23 (punishment of offences) is amended as follows....

*Limited Liability Partnerships Act (Northern Ireland) 2002 (c. 12)*

- In paragraph 8(2) of the Schedule (similarity of names), after...

SCHEDULE 8 — COMMUNITY INTEREST COMPANIES: INVESTIGATIONS

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*Power to require documents and information*

1. (1) The investigator of a community interest company may require...

*Privileged information*

2. (1) Nothing in paragraph 1 requires a person to produce...

*Use of information as evidence*

3. (1) A statement made by a person in compliance with...

*Failure to comply with requirement*

4. (1) This paragraph applies if a person fails to comply...

*False information*

5. (1) A person commits an offence if in purported compliance...

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Companies (Audit, Investigations and Community Enterprise) (Northern Ireland) Order 2005 (revoked).