
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Company Directors Disqualification Act 1986. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 2

Section 19.

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 anything done before 15th June 1982 by a person in his capacity as liquidator of a company or as receiver or manager of a company's property.
- 2 Subject to paragraph 1—
 - (a) section 2 applies in a case where a person is convicted on indictment of an offence which he committed (and, in the case of a continuing offence, has ceased to commit) before 15th June 1982; but in such a case a disqualification order under that section shall not be made for a period in excess of 5 years;
 - (b) that section does not apply in a case where a person is convicted summarily—
 - (i) in England and Wales, if he had consented so to be tried before that date, or
 - (ii) in Scotland, if the summary proceedings commenced before that date.
- 3 Subject to paragraph 1, section 4 applies in relation to an offence committed or other thing done before 15th June 1982; but a disqualification order made on the grounds of such an offence or other thing done shall not be made for a period in excess of 5 years.
- 4 The powers of a court under section 5 are not exercisable in a case where a person is convicted of an offence which he committed (and, in the case of a continuing offence, had ceased to commit) before 15th June 1982.
- 5 For purposes of section 3(1) and section 5, no account is to be taken of any offence which was committed, or any default order which was made, before 1st June 1977.
- 6 An order made under section 28 of the ^{M1}Companies Act 1976 has effect as if made under section 3 of this Act; and an application made before 15th June 1982 for such an order is to be treated as an application for an order under the section last mentioned.

Marginal Citations

M1 1976 c. 69.

- 7 Where—
 - (a) an application is made for a disqualification order under section 6 of this Act by virtue of paragraph (a) of subsection (2) of that section, and
 - (b) the company in question went into liquidation before 28th April 1986 (the coming into force of the provision replaced by section 6),

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the court shall not make an order under that section unless it could have made a disqualification order under section 300 of [^{F1}the Companies Act 1985] as it had effect immediately before the date specified in sub-paragraph (b) above.

Textual Amendments

- F1** Words in Sch. 2 para. 7 substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 2(1), {Sch. 1 para. 85(15)} (with art. 10)

- 8 An application shall not be made under section 8 of this Act in relation to a report made or information or documents obtained before 28th April 1986.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act amendment to earlier affecting provision S.I. 2021/716, reg. 5 by [S.I. 2023/1399](#) reg. 4