

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Companies Act 1985 (c. 6)

57.—(1) Part 14 of the Companies Act 1985 (company investigations) is amended as follows.

(2) In section 434(5B) ^{M1} (duty to produce documents and evidence: offences excepted from general rule that answers not admissible in criminal proceedings), after paragraph (b) insert—

“; or

(c) an offence under Article 7 or 10 of the Perjury (Northern Ireland) Order 1979 (false statements made on oath otherwise than in judicial proceedings or made otherwise than on oath).”.

(3) In section 437 (inspectors' reports), after subsection (2) insert—

“(2A) If the company is registered under the Companies Act 2006 in Northern Ireland, the Secretary of State must send a copy of any interim or final report by the inspectors to the Department of Enterprise, Trade and Investment in Northern Ireland.”.

(4) In section 441(1) ^{M2} (inspectors' report to be evidence) after “section 8 of the Company Directors Disqualification Act 1986” insert “or Article 11 of the Company Directors Disqualification (Northern Ireland) Order 2002 ”.

(5) In section 447A(3) ^{M3} (information provided in pursuance of requirement: offences excepted from general rule that answers not admissible in criminal proceedings), after paragraph (c) insert—

“; or

(d) an offence under Article 10 of the Perjury (Northern Ireland) Order 1979 (false statements made otherwise than on oath).”.

(6) In section 448A ^{M4} (disclosure of information)—

(a) in subsection (3) after “enactment” insert “ whenever passed or made ”;

(b) for subsection (5) substitute—

“(5) In this section “enactment” has the meaning given by section 1293 of the Companies Act 2006.”.

(7) In section 453 (investigation of overseas companies)—

(a) in the heading for “oversea” substitute “ overseas ”;

(b) in subsection (1) ^{M5} for “Great Britain”, in both places where it occurs, substitute “ the United Kingdom ”.

Marginal Citations

M1 Section 434(5B) was inserted by the Youth Justice and Criminal Evidence Act 1999 (c.23), **Schedule 3**, paragraphs 4 and 5.

M2 Section 441(1) was amended by the Companies Act 1989 (c.40), **section 61** and the Insolvency Act 1985 (c.65), **Schedule 6**, paragraph 3 and the Insolvency Act 1986 (c.45), **Schedule 13**.

M3 Section 447A was inserted by the Companies (Audit, Investigations and Community Enterprise) Act 2004 (c.27), **Schedule 2**, paragraphs 16 and 17.

M4 Section 448A was inserted by the Companies (Audit, Investigations and Community Enterprise) Act 2004 (c.27), **section 22**.

M5 Section 453(1) was substituted by the Companies Act 1989 (c.40), **section 70**.

Changes to legislation:

There are currently no known outstanding effects for the The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009, Paragraph 57.