
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 9

DEBT RELIEF ORDERS

CHAPTER 7

Permission to act as a director, etc.

Application for permission under the Company Directors Disqualification Act 1986

9.25.—(1) This rule relates to an application for permission under section 11 of the Company Directors Disqualification Act 1986⁽¹⁾, to act as director of, or to take part or be concerned in the promotion, formation or management of a company by a person—

- (a) in relation to whom a moratorium period under a debt relief order applies; or
- (b) in relation to whom a debt relief restrictions order or undertaking is in force.

(2) The application must be supported by a witness statement which must contain identification details for the company and specify—

- (a) the nature of its business or intended business, and the place or places where that business is, or is to be, carried on;
- (b) in the case of a company which has not yet been incorporated, whether it is, or is to be, a private or a public company;
- (c) the persons who are, or are to be, principally responsible for the conduct of its affairs (whether as directors, shadow directors, managers or otherwise);
- (d) the manner and capacity in which the applicant for permission proposes to take part or be concerned in the promotion or formation of the company or, as the case may be, its management; and
- (e) the emoluments and other benefits to be obtained by virtue of the matters referred to in paragraph (d).

(3) The court must fix a venue for the hearing of the application, and must deliver a notice to the applicant for permission accordingly.

⁽¹⁾ 1986 c.46; section 11 is amended by S.I. 2009/1941 and 2012/2404.