STATUTORY INSTRUMENTS

1982 No. 673

COMPANIES

The Companies (Disqualification Orders) Order 1982

Made - - - -	10*th May* 1982
Coming into Operation	15*th June* 1982

The Secretary of State, in exercise of the powers conferred by section 455(1) of the Companies Act 1948(**a**) and now vested in him(**b**), and in exercise of the powers conferred on him by section 29(1) and 44(2) of the Companies Act 1976(**c**), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Companies (Disqualification Orders) Order 1982 and shall come into operation on 15th June 1982.

(2) In this Order —

"the Act" means the Companies Act 1976;

"disqualification order" means an order of the court made under section 188 of the Companies Act 1948(**d**), section 9 of the Insolvency Act 1976(**e**) or section 28 of the Act(**f**);

"grant of leave" means a grant by the court of leave to any person in relation to a disqualification order.

2. This Order applies in relation to a disqualification order or grant of leave made after the coming into operation of this Order.

3.—(1) The Companies (Disqualification Orders) Order 1977(**g**) is hereby revoked.

(2) Notwithstanding that revocation that Order shall continue to apply in relation to any disqualification order or grant of leave made before the coming into operation of this Order.

(**a**) 1948 c. 38. (**b**) S.I. 1970/1537.
(**c**) 1976 c. 69; section 29 was amended by section 119(4) of, and paragraph 36 of Schedule 3 to, the Companies Act 1981 (c. 62).
(**d**) Section 188 was amended by section 93 of the Companies Act 1981.
(**e**) 1976 c. 60; section 9 was amended by section 94 of the Companies Act 1981.
(**f**) Section 28 of the Companies Act 1976 was repealed by sections 93(5) and 119(5) of, and Schedule 4 to, the Companies Act 1981.
(**g**) S.I. 1977/775.

4. The following officers of the court shall be the officers prescribed for the purposes of section 29(1) of the Act:—

(*a*) where a disqualification order is made by the Crown Court, the Chief Clerk;

(*b*) where a disqualification order or grant of leave is made by the High Court, the Chief Clerk;

(*c*) where a disqualification order or grant of leave is made by a county court, the Chief Clerk;

(*d*) where a disqualification order is made by a magistrates' court, the Clerk to the Justices;

(*e*) where a disqualification order is made by the High Court of Justiciary, the Deputy Principal Clerk of Justiciary;

(*f*) where a disqualification order or grant of leave is made by a sheriff court, the sheriff clerk; and

(*g*) where a disqualification order or grant of leave is made by the Court of Session, the Deputy Principal Clerk of Session.

5.—(1) The form set out in Schedule 1 to this Order with such variations as circumstances require is the form prescribed for the purpose of section 29(1) of the Act when the person against whom the disqualification order is made is an individual and the particulars contained therein are the particulars prescribed for that purpose.

(2) The form set out in Schedule 2 to this Order with such variations as circumstances require is the form prescribed for the purpose of section 29(1) of the Act when the person against whom the disqualification order is made is a corporation and the particulars contained therein are the particulars prescribed for that purpose.

(3) The form set out in Schedule 3 to this Order with such variations as circumstances require is the form prescribed for the purpose of section 29(1) of the Act when a grant of leave is made by the court and the particulars contained therein are the particulars prescribed for that purpose.

6. The time within which a prescribed officer is to furnish the Secretary of State with the prescribed particulars under section 29(1) of the Act shall be a period of fourteen days beginning with the day on which the disqualification order or grant of leave is made.

Gerard Vaughan,
Minister of State,
Department of Trade.

10th May 1982.

Article 5(1)

SCHEDULE 1

THE COMPANIES ACTS 1948 TO 1981

Form D.O.1.

Particulars of a disqualification order made against an individual

I hereby furnish the Secretary of State with the following particulars of a disqualification order made against an individual as required by section 29 (1) of the Companies Act 1976:

Please tick appropriate box

1 Statutory provision under which the order was made:

- s. 188(1)(a) of the Companies Act 1948 ☐
- s. 188(1)(b) of the Companies Act 1948 ☐
- s. 188(1)(c) of the Companies Act 1948 ☐
- s. 188(1A) of the Companies Act 1948 ☐
- s. 9 of the Insolvency Act 1976 ☐

2 Name of the individual against whom the order was made:

Mr, Mrs, Miss, etc.	Surname*	Other Names

* "Surname" in the case of a peer or person usually known by a title different from his surname means that title

3 Usual residential address of the person at the date of the order:

4 Date of birth of person (if known)

Day	Month	Year

5 Date on which the order was made:

Day	Month	Year

6 Period of disqualification specified in the order:

Signed ..... Date .....

Name ..... Position ..... Court .....

Please send this form to:-

The Secretary of State,
Companies Registration Office,
Companies House,
Crown Way,
Maindy,
Cardiff, CF4 3UZ.

SCHEDULE 2

Article 5(2)

THE COMPANIES ACTS 1948 TO 1981

Form D.O.2.

Particulars of a disqualification order made against a body corporate

I hereby furnish the Secretary of State with the following particulars of a disqualification order made against a body corporate as required by section 29(1) of the Companies Act 1976:

Please tick appropriate box

1 Statutory provision under which the order was made:

- s. 188(1)(a) of the Companies Act 1948 ☐
- s. 188(1)(b) of the Companies Act 1948 ☐
- s. 188(1)(c) of the Companies Act 1948 ☐
- s. 188(1A) of the Companies Act 1948 ☐
- s. 9 of the Insolvency Act 1976 ☐

2 Particulars of the body corporate against whom the order was made:

Corporate Name	Registered Number (if any)

3 Address of registered or principal office in Great Britain of the body corporate at the date of the order:

4 Date on which the order was made.

Day	Month	Year

5 Period of disqualification specified in the order:

Signed ..... Date .....

Name ..... Position ..... Court .....

Please send this form to:-

The Secretary of State,
Companies Registration Office,
Companies House,
Crown Way,
Maindy,
Cardiff, CF4 3UZ.

Article 5(3) SCHEDULE 3

THE COMPANIES ACTS 1948 TO 1981

Form D.O.3.

Particulars of the grant of leave in relation to a disqualification order

I hereby furnish the Secretary of State with the following particulars of the grant of leave in relation to a disqualification order as required by section 29(1) of the Companies Act 1976:

1 Date of disqualification order in relation to which leave was granted:

Day	Month	Year

2 Court which made disqualification order in relation to which leave was granted:

3 Name of person to whom leave was granted:

(a) If an individual,

Mr, Mrs, Miss, etc.	Surname*	Other Names

*"Surname" in the case of a peer or person usually known by a title different from his surname means that title.

(b) If a body corporate, the corporate name and registered number (if any):

Corporate name	Registered number

4 If the name in which the disqualification order was made was different from that given at (3) above, the name in which that order was made:

(a) If an individual,

Mr, Mrs, Miss, etc.	Surname*	Other Names

(b) If a body corporate, the corporate name:

5 Name of company in respect of which leave was granted, or, in the case of leave to promote or form a company, the proposed name of the company where it is available or, if not, a brief description of the proposed activities of the company: _____

6 Date on which leave was granted:

Day	Month	Year

† Please tick appropriate box(es). This question need not be answered if leave was granted in relation to an order made before the coming into force of sections 93 and 94 of the Companies Act 1981.

7 Activity for which leave was granted †

Promotion		Liquidation	
Formation		Receivership or management of the property of the company	
Directorship or other participation in management			

Signed .....Date .....

Name .....Position.....Court .....

Please send this form to:

The Secretary of State, Companies Registration Office, Companies House, Crown Way, Maindy, Cardiff, CF4 3UZ.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order prescribes the court officers who are required by section 29 of the Companies Act 1976 to provide the Secretary of State with particulars of disqualification orders and the granting of leave in relation to such orders. It also prescribes the particulars which have to be provided and the form and time in which they must be given.

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