Draft Order laid before Parliament under section 268(13) of the Enterprise Act 2002, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2006 No. 0000

INSOLVENCY

INDIVIDUALS

The Enterprise Act 2002 (Disqualification from Office: General) Order 2006

Made - - - -	****2006*
	In accordance with
Coming into force - -	*article 1(1)*

The Secretary of State makes the following Order in exercise of the powers conferred upon him by section 268 of the Enterprise Act 2002(**1**);

In accordance with section 268(13) of that Act, a draft of this Order has been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Enterprise Act 2002 (Disqualification from Office: General) Order 2006 and shall come into force on the day after the day on which it is made.

(2) For the purposes of this Order, "disqualification provision" has the same meaning as in section 268(2) of the Enterprise Act 2002.

Disqualification provisions — repeals, revocations and amendments

2.—(1) Schedule 1 to this Order (which repeals or revokes disqualification provisions) shall have effect.

(2) Schedule 2 to this Order (which amends or modifies the effect of disqualification provisions) shall have effect.

Parliamentary Under Secretary of State for
Employment Relations and Consumer Affairs,
Department of Trade and Industry

(**1**) 2002 c.40.

SCHEDULE 1 Article 2(1)

Repeal or revocation of disqualification provisions

PART 1

Provision made by an Act of Parliament

Metropolis Water Act 1902

1. In paragraph 7 of Schedule 3 (constitution and proceedings of Water Board) to the Metropolis Water Act 1902(**2**), the words ", or is adjudged bankrupt, or makes a composition or arrangement with his creditors" shall be omitted.

Land Drainage Act 1991

2. Paragraph 9 of Schedule 1 (insolvency of members or candidates) to the Land Drainage Act 1991(**3**) shall be omitted.

PART 2

Provision made under an Act of Parliament

British Wool Marketing Scheme (Approval) Order 1950

3. In paragraph 9(b) of the Schedule (the Board) to the British Wool Marketing Scheme (Approval) Order 1950(**4**), the words "if he is adjudged bankrupt or compounds with his creditors, or" shall be omitted.

SCHEDULE 2 Article 2(2)

Amendment or modification of disqualification provisions

PART 1

Provision made by an Act of Parliament

Industry Act 1975

1. In paragraph 6(1)(c) of Schedule 3 (establishment of Tribunal) to the Industry Act 1975(**5**)—

(a) for the words "becomes bankrupt or makes a composition with creditors" there is substituted "is the subject of a bankruptcy restrictions order or an interim order"; and

(**2**) 1902 c.41.
(**3**) 1991 c.59.
(**4**) S.I. 1950/1326.
(**5**) 1975 c.68. Paragraph 6(1) was amended by section 26 of, and paragraph 52 of Schedule 6 to, the Judicial Pensions and Retirement Act 1993 (c.8).

(b) the words "or a member makes a trust deed for behoof of his creditors or a composition contract" shall be omitted.

Aircraft and Shipbuilding Industries Act 1977

2. In section 42(5) (the Arbitration Tribunal) of the Aircraft and Shipbuilding Industries Act 1977(**6**)—

(a) in paragraph (b), for the words "he is unfit to continue in office; and" there is substituted "he is unfit to continue in office."; and

(b) paragraph (c) shall be omitted.

Transport Act 1981

3. In paragraph 3(2)(a) of Schedule 2 (resignation and vacation of office) to the Transport Act 1981(**7**)—

(a) for the words "becomes bankrupt or makes an arrangement with his creditors" there is substituted "is the subject of a bankruptcy restrictions order or an interim order"; and

(b) the words "or makes a trust deed for behoof of his creditors or a composition contract" shall be omitted.

Charities Act 1993

4. In section 72 (persons disqualified for being trustees of a charity) of the Charities Act 1993(**8**)—

(a) in subsection (1)(b), after the word "discharged" there is inserted "or he is the subject of a bankruptcy restrictions order or an interim order"; and

(b) in subsection (2)(b), after the word "sequestration" there is inserted "or the making of a bankruptcy restrictions order or an interim order".

Pensions Act 1995

5. In section 29 (persons disqualified for being trustees) of the Pensions Act 1995(**9**)—

(a) in subsection (1)(b), after the word "discharged" there is inserted "or he is the subject of a bankruptcy restrictions order or an interim order"; and

(b) in subsection (2)(b), after the word "sequestration" there is inserted "or the making of the bankruptcy restrictions order or an interim order".

Greater London Authority Act 1999

6. In section 21 (disqualification from being the Mayor or an Assembly Member) of the Greater London Authority Act 1999(**10**)—

(a) for subsection (1)(c) there is substituted—

"(c) he is the subject of a bankruptcy restrictions order or an interim order;"; and

(b) subsections (3) and (4) shall be omitted.

(**6**) 1977 c.3.
(**7**) 1981 c.56.
(**8**) 1993 c.10.
(**9**) 1995 c.26.
(**10**) 1999 c.29.