Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Companies (No. 2) (Northern Ireland) Order 1990. 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*

STATUTORY INSTRUMENTS

1990 No. 1504 (N.I. 10)

The Companies (No. 2) (Northern Ireland) Order 1990

- - - - - - *24th July 1990*

Modifications etc. (not altering text)

C1 Order modified (21.2.2009) by Banking Act 2009 (Parts 2 and 3 Consequential Amendments) Order 2009 (S.I. 2009/317), art. 3, **Sch.**

C2 Order applied (with modifications) (8.2.2011 with affect as mentioned in reg. 27(a) of the amending S.I.) by Investment Bank Special Administration Regulations 2011 (S.I. 2011/245), reg. 1, **Sch. 6 Pt. 1**

PART I

INTRODUCTORY

Title and commencement

1.—(1) This Order may be cited as the Companies (No. 2) (Northern Ireland) Order 1990 and shall come into operation on such day or days as the Head of the Department may by order appoint[F1].

(2) An order under paragraph (1) may—

(a) contain such transitional provisions and savings as appear to the Head of the Department to be necessary or expedient;

(b) amend any statutory provision which refers to the coming into operation of a provision brought into operation by the order so as to substitute a reference to the actual date on which it comes into operation.

F1 partly exercised by SRs 1991/26, 153, 289, 398, 438; 1993/64

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954[F2] shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"the Department" means the Department of Economic Development;

"the Companies Order" means the Companies (Northern Ireland) Order 1986[F3];

Definition rep. by 1993 c.36

"the Insolvency Order" means the Insolvency (Northern Ireland) Order 1989[F4].

F2 1954 c. 33 (NI)
F3 1986 NI 6
F4 1989 NI 19

[F5]PART II

INVESTIGATIONS AND POWERS TO OBTAIN INFORMATION

F5 Pt. II (arts. 3-27) repealed by Companies Act 2006 (c. 46), ss. 1295, 1300(2), **Sch. 16** and the repeal having been brought into operation on different dates, as to which see individual Articles

Amendments of the Companies Order

Investigations by inspectors not leading to published report

3. [F6] . . . . . .

F6 Arts. 3-5 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Production of documents and evidence to inspectors

4. [F7] . . . . . .

F7 Arts. 3-5 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Duty of inspectors to report

5. [F8] . . . . . .

F8 Arts. 3-5 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Power to bring civil proceedings on the company's behalf

6. [F9] . . . . . .

F9 Art. 6 repealed (20.1.2007) by Companies Act 2006 (c. 46), ss. 1295, 1300(2), **Sch. 16**; S.I. 2006/3428, **art. 7(b)**, Sch. 3 Pt. 2 (with arts. 6, 8, Sch. 5)

Expenses of investigating a company's affairs

7. [F10] . . . . . .

F10 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Power of Department to present winding-up petition

8. [F11] . . . . . .

F11 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Inspectors' reports as evidence

9. [F12] . . . . . .

F12 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Investigation of company ownership

10. [F13] . . . . . .

F13 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Department's power to require production of documents

11. [F14] . . . . . .

F14 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Entry and search of premises

12. [F15] . . . . . .

F15 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Provision for security of information obtained

13. F16 . . . . . .

F16 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Punishment for destroying, mutilating, &c. company documents

14. F17 . . . . . .

F17 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Punishment for furnishing false information

15. F18 . . . . . .

F18 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Disclosure of information by Department or inspector

16. F19 . . . . . .

F19 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Protection of banking information

17. F20 . . . . . .

F20 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Investigation of bodies incorporated outside Northern Ireland

18. F21 . . . . . .

F21 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Investigation of unregistered companies

19. [F22] . . . . . .

F22 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Offences committed by bodies corporate or unincorporated bodies

20. [F23] . . . . . .

F23 Arts. 7-20 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Arts. 21#23 rep. by 1993 c.36

Amendments of other statutory provisions

Arts. 24#26 rep. by SI 2001/3649

Art. 26 rep. by 2002 NI 4

Art. 27 rep. by 2002 NI 6

[F24]PART III

REGISTRATION OF COMPANY CHARGES

F24 Pt. III (arts. 28-43) repealed by Companies Act 2006 (c. 46), ss. 1295, 1300(2), **Sch. 16** and the repeal having been brought into operation on different dates, as to which see individual Articles

Introduction

Introduction

28. [F25] . . . . . .

F25 Arts. 28-42 repealed (1.10.2009) by Companies Act 2006 (c. 46), ss. 1295, 1300, **Sch. 16**; S.I. 2008/2860, **art. 4**, Sch. 1 Pt. 2 (with arts. 5, 7, 8, Sch. 2 (as amended by S.I. 2009/1802, art. 18, Sch., S.I. 2009/1941, art. 10 and S.I. 2009/2476, reg. 2(3)(4)))

Registration in the companies charges register

Charges requiring registration

29. [F26] . . . . . .