

Court may grant relief to person subject to disqualification order

847. (1) On the application by a person who is subject to a disqualification order, the court may, if it considers that it is just and equitable, grant relief from the disqualification—

- (a) in whole or in part, and
- (b) on such terms and conditions as it sees fit.

(2) Without prejudice to subsection (3), in the case of an application for relief from a disqualification order made under section 842, the application shall be served on—

- (a) the applicant for the disqualification order, and
- (b) the Director, if different from the applicant for the disqualification order.

(3) A person who intends applying for relief under subsection (1) shall give not less than 14 days' notice in writing of his or her intention to apply to—

- (a) the applicant for the disqualification order, and
- (b) the Director, if different from the applicant for the disqualification order.

(4) If the applicant for the disqualification order was the liquidator of a company, the insolvency of which gave rise to the application for the disqualification order, then, on receipt of a notice under subsection (3), the liquidator shall as soon as practicable notify such creditors and contributories of the company as have been notified to the liquidator or become known to the liquidator.

(5) On the hearing of an application under this section, the Director and the applicant for the disqualification order and, where the latter is a liquidator referred to in subsection (4), any creditor or contributory of the company concerned, may appear and give evidence.

(6) A liquidator who fails to comply with subsection (4) shall be guilty of a category 3 offence.