

Application of Parts 1 to 14 to DACs

964. (1) The provisions of Parts 1 to 14 apply to a DAC except to the extent that they are disapplied or modified by—

(a) this section; or

(b) any other provision of this Part.

(2) For the purposes of that application, section 10 (1) shall have effect as if it read:

“(1) Unless expressly provided otherwise, a reference in Parts 2 to 14 to a company is a reference to a DAC.”.

(3) Subject to subsection (4), the provisions of this Act specified in the Table to this section shall not apply to a DAC.

(4) In relation to a DAC limited by guarantee the non-application of section 32 (1) is provided for by section 976 and, accordingly, the entry of that provision in the Table to this section shall (so far as it relates to that type of DAC) be disregarded.

(5) The specification in the foregoing Table of a provision (a “specified provision”) of Parts 1 to 14 also operates to disapply to a DAC any other provision of those Parts (notwithstanding that it is not specified in that Table) that makes consequential, incidental or supplemental provision on, or in relation to, the specified provision.

Table

Provisions disapplied to DACs

Subject matter	Provision disapplied
Way of forming a private company limited by shares	Section 17
Company to carry on activity in the State and prohibition of certain activities	Section 18
Form of the constitution	Section 19
Certificate of incorporation to state that company is a private company limited by shares	Section 25 (3)
Provisions as to names of companies	Section 26 (1) to (4)
Trading under a misleading name	Section 27
Amendment of constitution by special resolution	Section 32 (1)
Capacity of private company limited by shares	Section 38
Variation of rights attached to special classes of shares	Section 88
Directors	Section 128
Share qualifications of directors	Section 136
Liability as contributories of past and present members	Section 655