

168I. Applications to court under section 168H: reporting provisions

- (1) If it appears to—
 - (a) the Financial Secretary; or (*Amended 46 of 2000 s. 16*)
 - (b) the Official Receiver, (*Amended 46 of 2000 s. 16*)that it is in the public interest that a disqualification order under section 168H should be made, an application for the making of such an order may be made by the Financial Secretary or the Official Receiver.
- (2) Except with the leave of the court, an application for the making under section 168H of a disqualification order against any person shall not be made after the end of the period of 4 years beginning, in the case of a company—
 - (a) that is wound up, with the day on which the winding up of the company, of which that person is or has been a director, is deemed, under section 184, 228A or 230, as the case may be, to have commenced; or
 - (b) that goes into receivership, with the day on which the receiver vacated his office.
- (3) If it appears to—
 - (a) the liquidator of a company that is being wound up by him; or
 - (b) the receiver in respect of a company for which he has been so appointed,that the matters listed in section 168H(1)(a) and (b) may apply to a person who is or has been a director of that company, he shall forthwith report the matter to the Official Receiver who may report the matter to the Financial Secretary. (*Amended 46 of 2000 s. 16*)
- (4) The Financial Secretary or the Official Receiver may require the liquidator or receiver of a company, or the former liquidator or receiver of a company—
 - (a) to furnish him with such information with respect to any person's conduct as a director of the company; and
 - (b) to produce and permit inspection of such books, papers and other records relevant to that person's conduct as such a director,as the Financial Secretary or the Official Receiver, as the case may be, may reasonably require for the purpose of determining whether to exercise, or of exercising, any of his functions under this section.