

**168K. Matters for determining unfitness of directors**

- (1) Where it falls to a court to determine whether a person's conduct as a director of any particular company or companies makes him unfit to be concerned in the management of a company, the court shall, as respects his conduct as a director of that company or, as the case may be, each of those companies, have regard in particular—
  - (a) to the matters mentioned in Part I of the Fifteenth Schedule; and
  - (b) where the company has become insolvent, to the matters mentioned in Part II of that Schedule,and references in that Schedule to the director and the company are to be read accordingly.
- (2) Section 168H(2) applies for the purposes of this section and the Fifteenth Schedule as it applies for the purposes of section 168H.
- (3) The Financial Secretary may by order modify any of the provisions of the Fifteenth Schedule; and such an order may contain such transitional provisions as may appear to the Financial Secretary necessary or expedient.
- (4) In this section and the Fifteenth Schedule, *director* (董事) includes a shadow director.