



Insolvency Act 1986

1986 CHAPTER 45

[^{F1}PART A1

MORATORIUM

CHAPTER 3

LENGTH OF MORATORIUM

Extension of moratorium

[^{F1}A11 Extension by directors with creditor consent

- (1) At any time after the first 15 business days of the initial period the directors may, if they have obtained creditor consent, extend the moratorium by filing with the court—
 - (a) a notice that the directors wish to extend the moratorium,
 - (b) a statement from the directors that all of the following that have fallen due have been paid or otherwise discharged—
 - (i) moratorium debts, and
 - (ii) pre-moratorium debts for which the company does not have a payment holiday during the moratorium (see section A18),
 - (c) a statement from the directors that, in their view, the company is, or is likely to become, unable to pay its pre-moratorium debts,
 - (d) a statement from the monitor that, in the monitor's view, it is likely that the moratorium will result in the rescue of the company as a going concern, and
 - (e) a statement from the directors that creditor consent has been obtained, and of the revised end date for which that consent was obtained.
- (2) The rules may make provision about the date on which a statement mentioned in subsection (1) must be made.

Status: Point in time view as at 04/03/2024.

Changes to legislation: Insolvency Act 1986, Section A11 is up to date with all changes known to be in force on or before 04 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) On the filing with the court of the documents mentioned in subsection (1), the moratorium is extended so that it ends with the revised end date mentioned in the statement under subsection (1)(e).
- (4) A moratorium may be extended under this section more than once.]

Textual Amendments

- F1** Pt. A1 inserted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), **ss. 1(1)**, 49(1) (with **ss. 2(2)**, 5(2))

Modifications etc. (not altering text)

- C1** S. A11(1)(d) modified (temp.) (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), **Sch. 4 para. 8(2)** (with **ss. 2(2)**, 5(2), **Sch. 4 para. 1**)

Status:

Point in time view as at 04/03/2024.

Changes to legislation:

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