



# Housing Act 1996

## 1996 CHAPTER 52

### PART I

[<sup>F1</sup>SOCIAL RENTED SECTOR [<sup>F1</sup>REGULATED BY THE WELSH MINISTERS]]

### CHAPTER IV

GENERAL POWERS OF THE [<sup>F1</sup>RELEVANT AUTHORITY]

*Insolvency, &c. of registered social landlord*

#### **43 Period of moratorium.**

- (1) The moratorium in consequence of the taking of any step as mentioned in section 41—
  - (a) begins when the step is taken, and
  - (b) ends at the end of the period of 28 days beginning with the day on which notice of its having been taken was given to [<sup>F1</sup>the Welsh Ministers] under that section,subject to the following provisions.
- (2) The taking of any further step as mentioned in section 41 at a time when a moratorium is already in force does not start a further moratorium or affect the duration of the existing one.
- (3) A moratorium may be extended from time to time with the consent of all the landlord's secured creditors.

Notice of any such extension shall be given by [<sup>F1</sup>the Welsh Ministers] to—

- (a) the landlord, and
- (b) any liquidator, administrative receiver, receiver or administrator appointed in respect of the landlord or any land held by it.

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*Changes to legislation:* Housing Act 1996, Section 43 is up to date with all changes known to be in force on or before 14 July 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) View outstanding changes

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- (4) If during a moratorium [<sup>F1</sup>the Welsh Ministers] considers that the proper management of the landlord's land can be secured without making proposals under section 44 (proposals as to ownership and management of landlord's land), [<sup>F1</sup>the Welsh Ministers] may direct that the moratorium shall cease to have effect.

Before making any such direction [<sup>F1</sup>the Welsh Ministers] shall consult the person who took the step which brought about the moratorium.

- (5) When a moratorium comes to an end, or ceases to have effect under subsection (4), [<sup>F1</sup>the Welsh Ministers] shall give notice of that fact to the landlord and the landlord's secured creditors.
- (6) When a moratorium comes to an end (but not when it ceases to have effect under subsection (4)), the following provisions of this section apply.

The [<sup>F2</sup>Relevant Authority's] notice shall, in such a case, inform the landlord and the landlord's secured creditors of the effect of those provisions.

- (7) If any further step as mentioned in section 41 is taken within the period of three years after the end of the original period of the moratorium, the moratorium may be renewed with the consent of all the landlord's secured creditors (which may be given before or after the step is taken).

Notice of any such renewal shall be given by [<sup>F1</sup>the Welsh Ministers] to the persons to whom notice of an extension is required to be given under subsection (3).

- (8) If a moratorium ends without any proposals being agreed, then, for a period of three years the taking of any further step as mentioned in section 41 does not start a further moratorium except with the consent of the landlord's secured creditors as mentioned in subsection (7) above.

#### Textual Amendments

- F1** Words in Pt. I substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\), ss. 61\(7\), 325\(1\); S.I. 2010/862, art. 2 \(with Sch.\)](#)
- F2** Words in Pt. I substituted (1.11.1998) by [1998 c. 38, s. 140, Sch. 16 para. 82\(1\)\(2\) \(with ss. 139\(2\), 141\(1\), 143\(2\)\); S.I. 1998/2244, art.5.](#)

**Changes to legislation:**

Housing Act 1996, Section 43 is up to date with all changes known to be in force on or before 14 July 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.

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**Changes and effects yet to be applied to :**

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 124(1A) inserted by [2016 c. 22 Sch. 7 para. 20\(2\)](#)
- s. 124(6) inserted by [2016 c. 22 Sch. 7 para. 20\(6\)](#)
- s. 124A124B inserted by [2016 c. 22 Sch. 7 para. 21](#)
- s. 125A(3A)(3B) inserted by [2016 c. 22 Sch. 7 para. 22\(3\)](#)
- s. 130A inserted by [2016 c. 22 Sch. 8 para. 7](#)
- s. 133(1A) inserted by [2016 c. 22 Sch. 8 para. 9\(2\)](#)
- s. 143J(3A) inserted by [2016 c. 22 Sch. 8 para. 13\(2\)](#)
- s. 143J(7)(a) words omitted by [S.I. 2022/1166 reg. 25\(11\)\(b\)](#) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by [2016 c. 22 Sch. 8 para. 10](#)
- s. 143MA(3A)-(3D) inserted by [2016 c. 22 Sch. 7 para. 27\(3\)](#)
- s. 143MB inserted by [2016 c. 22 Sch. 7 para. 28](#)
- Sch. 2 para. 10A(1A) inserted by [2024 c. 22 Sch. 13 para. 6\(3\)](#)
- Sch. 2 para. 10A(6) inserted by [2024 c. 22 Sch. 13 para. 6\(6\)](#)