



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 2 **E+W**

REGULATION OF SOCIAL HOUSING

CHAPTER 4 **E+W**

REGISTERED PROVIDERS

Insolvency etc.

146 Duration of moratorium **E+W**

[^{F1}(1) The moratorium begins when the notice mentioned in section 145 is given.]

[^{F1}(2) The moratorium ends when one of the following occurs—

- (a) the expiry of the relevant period,
- (b) the making of a housing administration order under Chapter 5 of Part 4 of the Housing and Planning Act 2016 in relation to the registered provider, or
- (c) the cancellation of the moratorium (see subsection (5)).]

[^{F1}(2A) The “relevant period” is—

- (a) the period of 28 days beginning with the day on which the notice mentioned in section 145 is given, plus
 - (b) any period by which that period is extended under subsection (3).]
- (3) During a moratorium the regulator may extend it (or further extend it) for a specified period, with the consent of each secured creditor of the registered provider whom the regulator is able to locate after making reasonable enquiries.
- (4) If the regulator extends a moratorium it shall notify—
- (a) the registered provider, [^{F2}and]

Status: Point in time view as at 05/07/2018. This version of this provision has been superseded.

Changes to legislation: Housing and Regeneration Act 2008, Section 146 is up to date with all changes known to be in force on or before 15 June 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)

(b) any liquidator, administrator, administrative receiver or receiver appointed in respect of the registered provider or its land, ^{F3}...

^{F4}(c)

[^{F5}(4A) If the regulator extends a moratorium in respect of a private registered provider who owns land in Greater London, the regulator shall also notify the Greater London Authority.]

(5) During a moratorium the regulator may cancel it if satisfied that it is unnecessary to make proposals under section 152.

^{F6}(6)

(7) When a moratorium ends the regulator shall give notice, and (except in the case of cancellation) an explanation of section 147, to—

(a) the registered provider, and

(b) such of its secured creditors as the regulator is able to locate after making reasonable enquiries.

^{F7}(8)

[^{F8}(8A) When a moratorium in respect of a private registered provider who owns land in Greater London ends, the regulator shall also give notice to the Greater London Authority.]

[^{F9}(9) If a notice mentioned in section 145 is given during a moratorium, that does not—

(a) start a new moratorium, or

(b) alter the existing moratorium's duration.]

Textual Amendments

- F1** S. 146(1)-(2A) substituted for s. 146(1) (5.7.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 6 para. 4(2)**; S.I. 2018/805, reg. 3(c) (with reg. 4)
- F2** Word in s. 146(4)(a) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 16 para. 39(2)(a)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)
- F3** Word in s. 146(4)(b) repealed (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 25 Pt. 26**; S.I. 2012/628, art. 6(j) (with arts. 911141517)
- F4** S. 146(4)(c) repealed (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 16 para. 39(2)(b), **Sch. 25 Pt. 26**; S.I. 2012/628, art. 6(i)(j) (with arts. 911141517)
- F5** S. 146(4A) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 19 para. 50(2)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)
- F6** S. 146(6) omitted (5.7.2018) by virtue of [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 6 para. 4(3)**; S.I. 2018/805, reg. 3(c) (with reg. 4)
- F7** S. 146(8) repealed (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 16 para. 39(3), **Sch. 25 Pt. 26**; S.I. 2012/628, art. 6(i)(j) (with arts. 911141517)
- F8** S. 146(8A) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 19 para. 50(3)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)
- F9** S. 146(9) substituted (5.7.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 6 para. 4(4)**; S.I. 2018/805, reg. 3(c) (with reg. 4)

Commencement Information

- I1** S. 146 in force at 1.4.2010 by S.I. 2010/862, **art. 2** (with Sch.)

Status:

Point in time view as at 05/07/2018. This version of this provision has been superseded.

Changes to legislation:

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