



Commercial Rent (Coronavirus) Act 2022

2022 CHAPTER 12

PART 2

ARBITRATION

Arbitration awards

15 Arbitrator's principles

- (1) The principles in this section are—
 - (a) that any award should be aimed at—
 - (i) preserving (in a case falling within section 13(4)(a)), or
 - (ii) restoring and preserving (in a case falling within section 13(4)(b)), the viability of the business of the tenant, so far as that is consistent with preserving the landlord's solvency, and
 - (b) that the tenant should, so far as it is consistent with the principle in paragraph (a) to do so, be required to meet its obligations as regards the payment of protected rent in full and without delay.
- (2) In considering the viability of the tenant's business and the landlord's solvency for the purposes of subsection (1), the arbitrator must disregard anything done by the tenant or the landlord with a view to manipulating their financial affairs so as to improve their position in relation to an award to be made under section 14.
- (3) For the purposes of this section, the landlord is "solvent" unless the landlord is, or is likely to become, unable to pay their debts as they fall due.