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# Companies Act 2006 c. 46

## s. 899A Moratorium debts, etc

Law In Force

Version 1 of 1

26 June 2020 - Present

### Subjects

Company law; Insolvency

### Keywords

Coronavirus; Corporate insolvency; Creditors' meetings; Exclusion; Financial performance; Jurisdiction; Moratoriums; Reorganisation of capital; Schemes of arrangement

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### 899A Moratorium debts, etc

(1) This section applies where—

(a) an application under [section 896](#) in respect of a compromise or arrangement is made before the end of the period of 12 weeks beginning with the day after the end of any moratorium for the company under [Part A1](#) of the [Insolvency Act 1986](#) or [Part 1A](#) of the [Insolvency \(Northern Ireland\) Order 1989](#) (S.I. 1989/2405 (N.I. 19)), and

(b) the creditors with whom the compromise or arrangement is proposed include any relevant creditors (see subsection (2)).

(2) In this section "*relevant creditor*" means—

(a) a creditor in respect of a moratorium debt, or

(b) a creditor in respect of a priority pre-moratorium debt.

(3) The relevant creditors may not participate in the meeting summoned under [section 896](#).

(4) For the purposes of [section 897](#) (statement to be circulated or made available)—

(a) the requirement in [section 897\(1\)\(a\)](#) is to be read as including a requirement to send each relevant creditor a statement complying with [section 897](#);

(b) any reference to creditors entitled to attend the meeting summoned under [section 896](#) includes a reference to relevant creditors.

(5) The court may not sanction the compromise or arrangement under [section 899](#) if it includes provision in respect of any relevant creditor who has not agreed to it.

(6) In this section—

"*moratorium debt*" —

(a) in the case of a moratorium under [Part A1](#) of the [Insolvency Act 1986](#), has the same meaning as in [section 174A](#) of that Act;

(b) in the case of a moratorium under [Part 1A](#) of the [Insolvency \(Northern Ireland\) Order 1989](#), has the same meaning as in [Article 148A](#) of that Order;

*"priority pre-moratorium debt" —*

(a) in the case of a moratorium under [Part A1](#) of the [Insolvency Act 1986](#), has the same meaning as in [section 174A](#) of that Act;

(b) in the case of a moratorium under [Part 1A](#) of the [Insolvency \(Northern Ireland\) Order 1989](#), has the same meaning as in [Article 148A](#) of that Order.

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## Notes

<sup>1</sup> Added by Corporate Insolvency and Governance Act 2020 c. 12 [Sch.9\(2\) para.35\(5\)](#) (June 26, 2020)

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*Part 26 ARRANGEMENTS AND RECONSTRUCTIONS:  
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