

SCHEDULE 8 INSOLVENCY ETC. OF REGISTERED SOCIAL LANDLORDS

Period of moratorium

- 5 (1) The moratorium under paragraph 4(1)—
- (a) begins when the action which brought about the moratorium is taken, and
 - (b) ends at the end of the period of 56 days beginning with the day on which notice of its having been taken was given to the Scottish Ministers under paragraph 3,
- subject to the following provisions.
- (2) The taking of any further action as mentioned in paragraph 3 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.
- (4) Notice of any such extension must be given by the Scottish Ministers to—
- (a) the landlord, and
 - (b) any liquidator, administrative receiver, receiver or administrator appointed in respect of the landlord or its land.
- (5) If during a moratorium the Scottish Ministers consider that the proper management of the landlord's land can be secured without making proposals under paragraph 6, they may, after consulting the person who took the action which brought about the moratorium, direct that the moratorium ceases to have effect.
- (6) When a moratorium comes to an end, or ceases to have effect under sub-paragraph (5), the Scottish Ministers must give notice of that fact to the landlord and the landlord's secured creditors.
- (7) Sub-paragraphs (8) to (11) apply where a moratorium comes to an end (but not when it ceases to have effect under sub-paragraph (5)).
- (8) A notice under sub-paragraph (6) must include information about the effect of sub-paragraphs (9) to (11).
- (9) If any further action mentioned in paragraph 3 is taken within the period of 3 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).
- (10) Notice of any such renewal must be given by the Scottish Ministers to the persons to whom notice of an extension is required to be given under sub-paragraph (4).
- (11) If a moratorium ends without any proposals being agreed, then, for a period of 3 years, the taking of any further action mentioned in paragraph 3 does not start a further moratorium except with the consent of the landlord's secured creditors as mentioned in sub-paragraph (9).