



# Corporate Insolvency and Governance Act 2020

## 2020 CHAPTER 12

### *Powers to change periods*

#### **41 Power to change duration of temporary provisions: Great Britain**

- (1) The Secretary of State may by regulations made by statutory instrument amend a relevant provision so as to—
  - (a) curtail the period for the time being specified in that provision, or
  - (b) prolong that period by up to six months if the Secretary of State considers it reasonable to do so to mitigate an effect of coronavirus.
- (2) In this section—
  - “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
  - “relevant provision” means—
    - (a) section 12(2),
    - (b) section 15(2),
    - (c) paragraph 1 of Schedule 4, or
    - (d) <sup>F1</sup>...
- (3) A statutory instrument containing regulations made under subsection (1)(a) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) A statutory instrument containing regulations made under subsection (1)(b) must be laid before Parliament as soon as reasonably practicable after being made.
- (5) Subsection (4) does not apply if a draft of the statutory instrument has been laid before and approved by a resolution of each House of Parliament.
- (6) Regulations contained in a statutory instrument laid before Parliament by virtue of subsection (4) cease to have effect at the end of the period of 40 days beginning with

---

*Changes to legislation:* There are currently no known outstanding effects for the Corporate Insolvency and Governance Act 2020, Cross Heading: Powers to change periods. (See end of Document for details)

---

the day on which the instrument is made, unless during that period the instrument is approved by a resolution of each House of Parliament.

- (7) In calculating the period of 40 days, no account is to be taken of any time during which—
- (a) Parliament is dissolved or prorogued, or
  - (b) both Houses of Parliament are adjourned for more than 4 days.
- (8) Where regulations relating to any relevant provision cease to have effect as a result of subsection (6), the period specified in the relevant provision ends—
- (a) at the time it would have ended under the relevant provision if the regulations had not been made, or
  - (b) if later, at the end of the period of 40 days mentioned in subsection (6).
- (9) Where regulations cease to have effect as a result of subsection (6) that does not prevent the making of new regulations.
- (10) Regulations under this section may make—
- (a) different provision for the purposes of different relevant provisions;
  - (b) consequential, transitional or transitory provision or savings.

#### Textual Amendments

- F1** Words in s. 41(2) omitted (1.10.2021) by virtue of [The Corporate Insolvency and Governance Act 2020 \(Coronavirus\) \(Amendment of Schedule 10\) \(No. 2\) Regulations 2021 \(S.I. 2021/1091\)](#), regs. 1(3), 4

## 42 Power to change duration of temporary provisions: Northern Ireland

- (1) The Department may by regulations amend a relevant provision so as to—
- (a) curtail the period for the time being specified in that provision, or
  - (b) prolong that period by up to six months if the Department considers it reasonable to do so to mitigate an effect of coronavirus.
- (2) In this section—
- “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);
- “relevant provision” means—
- (a) section 13(2),
  - (b) section 19(2),
  - (c) paragraph 1 of Schedule 8, or
  - (d) <sup>F2</sup>...
- (3) Regulations under subsection (1)(a) are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)).
- (4) Regulations under subsection (1)(b) must be laid before the Assembly as soon as reasonably practicable after being made.
- (5) Subsection (4) does not apply if a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

---

**Changes to legislation:** There are currently no known outstanding effects for the Corporate Insolvency and Governance Act 2020, Cross Heading: Powers to change periods. (See end of Document for details)

---

- (6) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (5) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.
- (7) Regulations laid before the Assembly by virtue of subsection (4) cease to have effect at the end of the period of 40 days beginning with the day on which the regulations are made, unless during that period the regulations are approved by a resolution of the Assembly.
- (8) In calculating the period of 40 days, no account is to be taken of any time during which the Assembly is—
- (a) dissolved,
  - (b) in recess for more than 4 days, or
  - (c) adjourned for more than 6 days.
- (9) Where regulations cease to have effect as a result of subsection (7), the period specified in the relevant provision ends—
- (a) at the time it would have ended under the relevant provision if the regulations had not been made, or
  - (b) if later, at the end of the period of 40 days mentioned in subsection (7).
- (10) Where regulations cease to have effect as a result of subsection (7) that does not prevent the making of new regulations.
- (11) Regulations under this section may make—
- (a) different provision for the purposes of different relevant provisions;
  - (b) consequential, transitional or transitory provision or savings.
- (12) The power of the Department to make regulations under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).
- (13) In this section—
- “the Assembly” means the Northern Ireland Assembly;
  - “the Department” means the Department for the Economy in Northern Ireland.

---

#### Textual Amendments

- F2** Words in s. 42(2) omitted (29.9.2021) by virtue of [The Corporate Insolvency and Governance Act 2020 \(Coronavirus\) \(Amendment of Schedule 11\) Regulations \(Northern Ireland\) 2021 \(S.R. 2021/259\)](#), regs. 1, 3

**Changes to legislation:**

There are currently no known outstanding effects for the Corporate Insolvency and Governance Act 2020, Cross Heading: Powers to change periods.