

## SCHEDULES

### SCHEDULE 4

#### MORATORIUMS IN GREAT BRITAIN: TEMPORARY PROVISION

##### PART 2

##### MODIFICATIONS TO PRIMARY LEGISLATION

###### *Termination of moratorium obtained during relevant period*

- 10 In relation to a moratorium that comes into force during the relevant period, section A38(1) of the Insolvency Act 1986 has effect as if for paragraph (a) there were substituted—
- “(a) the monitor thinks—
    - (i) that the moratorium is not likely to result in the rescue of the company as a going concern, and
    - (ii) that, even if one were to disregard any worsening of the financial position of the company for reasons relating to coronavirus, the moratorium would not be likely to result in the rescue of the company as a going concern,”.