

SCHEDULES

SCHEDULE 2

TEMPORARY MORATORIUM ON ENFORCEMENT OF PROTECTED RENT DEBTS

Debt claims made before the day on which this Act is passed

- 3 (1) This paragraph applies to proceedings on a debt claim which—
- (a) is made on or after 10 November 2021 but before the day on which this Act is passed,
 - (b) is made by the landlord against the tenant, and
 - (c) relates to, or to debts which include, the protected rent debt.
- (2) Either of the parties to the business tenancy may apply to the court for the proceedings on the debt claim to be stayed in order to enable the matter of payment of the protected rent debt to be resolved (whether by arbitration or otherwise).
- (3) Where such an application is made in respect of proceedings on a debt claim the court must stay the proceedings (unless it is satisfied that they are not proceedings to which this paragraph applies).
- (4) Sub-paragraphs (5) to (7) apply if judgment on the debt claim is given in favour of the landlord during the period described in sub-paragraph (1)(a).
- (5) So long as the judgment debt so far as relating to the protected rent debt, or any interest on it, is unpaid, then—
- (a) the matter of relief from payment of the judgment debt so far as relating to the protected rent debt, or any interest on it, may be resolved by arbitration under Part 2 of this Act or by agreement (as if that part of the judgment debt and any interest on it were a protected rent debt), despite the judgment having been given,
 - (b) the judgment debt, so far as relating to the protected rent debt or any interest on it, may not be enforced or relied on by the landlord before the end of the moratorium period for the protected rent debt, and
 - (c) if relief from payment is awarded or agreed, the effect of the judgment debt is to be taken as altered in accordance with the award or agreement.
- (6) Where it comes to the attention of the officer of the court in which the judgment is entered that—
- (a) the judgment relates solely to the protected rent debt,
 - (b) relief from payment of the protected rent debt has been awarded under Part 2 of this Act or agreed, and
 - (c) the moratorium period for the protected rent debt has ended,
- the officer must send a request to the registrar to cancel the entry in the register of judgments under section 98 of the Courts Act 2003.

*Changes to legislation: There are currently no known outstanding effects for the
Commercial Rent (Coronavirus) Act 2022, Paragraph 3. (See end of Document for details)*

- (7) Following receipt of a request under sub-paragraph (6), the registrar must cancel the entry.
- (8) In this paragraph—
- “debt claim” has the same meaning as in paragraph 2;
 - “tenant” includes—
 - (a) a person who has guaranteed the obligations of the tenant under a business tenancy,
 - (b) a person other than the tenant who is liable on an indemnity basis for the payment of rent under a business tenancy, and
 - (c) a former tenant who is liable for the payment of rent under a business tenancy.

Commencement Information

II Sch. 2 para. 3 in force at Royal Assent, see [s. 31\(4\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Commercial Rent (Coronavirus) Act 2022, Paragraph 3.