



# Insolvency Act 1986

## 1986 CHAPTER 45

### [<sup>F1</sup>PART A1

#### MORATORIUM

### CHAPTER 2

#### OBTAINING A MORATORIUM

#### [<sup>F1</sup>A3 Obtaining a moratorium by filing or lodging documents at court

- (1) This section applies to an eligible company that—
  - (a) is not subject to an outstanding winding-up petition, and
  - (b) is not an overseas company.
- (2) The directors of the company may obtain a moratorium for the company by filing the relevant documents with the court (for the relevant documents, see section A6).
- (3) For the purposes of this Chapter a company is “subject to an outstanding winding-up petition” if—
  - (a) a petition for the winding up of the company has been presented, and
  - (b) the petition has not been withdrawn or determined.]

#### Textual Amendments

**F1** Pt. A1 inserted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), **ss. 1(1), 49(1)** (with **ss. 2(2), 5(2)**)

#### Modifications etc. (not altering text)

**C1** S. A3 modified (temp.) (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), **s. 49(1), Sch. 4 para. 5** (with **ss. 2(2), 5(2), Sch. 4 para. 1**)

---

**Changes to legislation:** *Insolvency Act 1986, Section A3 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

---

**C2** S. A3 modified (temp.) (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), [Sch. 4 para. 6\(1\)\(a\)](#) (with ss. 2(2), 5(2), [Sch. 4 para. 1](#))

**Changes to legislation:**

Insolvency Act 1986, Section A3 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act amendment to earlier affecting provision S.I. 1986/1999, art. 3, Sch. 1 Pt. 2 by [S.I. 2017/1119 Sch. 3 para. 1](#)
- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41HB(2) words substituted by [2018 c. 14 s. 1\(3\)\(b\)](#)