



Government has introduced new “safe harbour” provisions, which will apply for 6 months from the commencement date (TBA) in respect of debts incurred in the “ordinary course of the company’s business”.

A company will be taken to incur a debt in the ordinary course of business if it is necessary to facilitate the continuation of the business during the relevant period. The Explanatory Memorandum suggests this could include:

- taking out loans; or
- continuing to pay employees.

For example, it would also likely cover debts incurred in respect of:

- a new cleaning regime;
- delivery of food or products; and
- engaging consultants.

The new “safe harbour” is an automatic process providing personal protection for directors from the commencement date.