



Building Act 1984

1984 CHAPTER 55

PART IV

GENERAL

Compensation, and recovery of sums

108 Payment by instalments.

- (1) A [^{F1}local authority][^{F1}relevant authority] may by order declare any expenses recoverable by them under section 107(1) above to be payable with interest by instalments within a period not exceeding 30 years, until the whole amount is paid.
- (2) An order may be made under subsection (1) above at any time with respect to an unpaid balance of expenses and accrued interest, but the period for repayment shall not in any case extend beyond 30 years from the service of the first demand for the expenses.
- (3) Any such instalments and interest, or any part thereof, may be recovered from the owner or occupier for the time being of the premises in respect of which the expenses were incurred, and if recovered from the occupier, may be deducted by him from the rent of the premises; but an occupier shall not be required to pay at any one time a sum in excess of the amount that—
 - (a) was due from him on account of rent at, or
 - (b) has become due from him on account of rent since,
the date on which he received a demand from the [^{F1}local authority][^{F1}relevant authority] together with a notice requiring him not to pay rent to his landlord without deducting the sum so demanded.
- (4) The rate of interest chargeable under subsection (1) above is such reasonable rate as the authority may determine.

[^{F2}(5) In this section “relevant authority” means a local authority or the regulator.]

Status: Point in time view as at 01/10/2023. This version of this provision has been superseded.

Changes to legislation: Building Act 1984, Section 108 is up to date with all changes known to be in force on or before 24 June 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)

Textual Amendments

- F1** Words in s. 108 substituted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 69\(2\)](#); S.I. 2023/993, reg. 2(n)(xxvi) (with reg. 4)
- F2** S. 108(5) inserted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 69\(3\)](#); S.I. 2023/993, reg. 2(n)(xxvi) (with reg. 4)
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Modifications etc. (not altering text)

- C1** Ss. 107-110 applied (with modifications) (13.7.2004) by [London Local Authorities Act 2004 \(c. i\)](#), ss. 1(1), [s. 10\(3\)-\(5\)](#)

Status:

Point in time view as at 01/10/2023. This version of this provision has been superseded.

Changes to legislation:

Building Act 1984, Section 108 is up to date with all changes known to be in force on or before 24 June 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.