



# Housing Grants, Construction and Regeneration Act 1996

## 1996 CHAPTER 53

### PART II

#### CONSTRUCTION CONTRACTS

##### *Payment*

VALID FROM 01/05/1998

#### **112 Right to suspend performance for non-payment.**

- (1) Where a sum due under a construction contract is not paid in full by the final date for payment and no effective notice to withhold payment has been given, the person to whom the sum is due has the right (without prejudice to any other right or remedy) to suspend performance of his obligations under the contract to the party by whom payment ought to have been made (“the party in default”).
- (2) The right may not be exercised without first giving to the party in default at least seven days’ notice of intention to suspend performance, stating the ground or grounds on which it is intended to suspend performance.
- (3) The right to suspend performance ceases when the party in default makes payment in full of the amount due.
- (4) Any period during which performance is suspended in pursuance of the right conferred by this section shall be disregarded in computing for the purposes of any contractual time limit the time taken, by the party exercising the right or by a third party, to complete any work directly or indirectly affected by the exercise of the right.

Where the contractual time limit is set by reference to a date rather than a period, the date shall be adjusted accordingly.

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**Status:** Point in time view as at 24/07/1996. This version of this provision is not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Housing Grants, Construction and Regeneration Act 1996, Section 112. (See end of Document for details)

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### Commencement Information

- II** S. 112 wholly in force; s. 112 not in force at Royal Assent see s. 150; s. 112 in force at 1.5.1998 by (E.W.) S.I. 1998/650, **art. 2** and (S.) S.I. 1998/894, **art. 2**

**Status:**

Point in time view as at 24/07/1996. This version of this provision is not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing Grants, Construction and Regeneration Act 1996, Section 112.