



# Planning Act 2008

## 2008 CHAPTER 29

### PART 11

#### COMMUNITY INFRASTRUCTURE LEVY

##### [<sup>F1</sup>216A Duty to pass receipts to other persons

- (1) CIL regulations may require that CIL received in respect of development of land in an area is to be passed by the charging authority that charged the CIL to a person other than that authority.
- (2) CIL regulations must contain provision to secure that money passed to a person in discharge of a duty under subsection (1) is used to support the development of the area to which the duty relates, or of any part of that area, by funding—
  - (a) the provision, improvement, replacement, operation or maintenance of infrastructure, or
  - (b) anything else that is concerned with addressing demands that development places on an area.
- (3) A duty under subsection (1) may relate to—
  - (a) the whole of a charging authority's area or the whole of the combined area of two or more charging authorities, or
  - (b) part only of such an area or combined area.
- (4) CIL regulations may make provision about the persons to whom CIL may or must, or may not, be passed in discharge of a duty under subsection (1).
- (5) A duty under subsection (1) may relate—
  - (a) to all CIL (if any) received in respect of the area to which the duty relates, or
  - (b) such part of that CIL as is specified in, or determined under or in accordance with, CIL regulations.
- (6) CIL regulations may make provision in connection with the timing of payments in discharge of a duty under subsection (1).

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**Changes to legislation:** *Planning Act 2008, Section 216A is up to date with all changes known to be in force on or before 21 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*

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- (7) CIL regulations may, in relation to CIL passed to a person in discharge of a duty under subsection (1), make provision about—
- (a) accounting for the CIL,
  - (b) monitoring its use,
  - (c) reporting on its use,
  - (d) responsibilities of charging authorities for things done by the person in connection with the CIL,
  - (e) recovery of the CIL, and any income or profits accruing in respect of it or from its application, in cases where—
    - (i) anything to be funded by it has not been provided, or
    - (ii) it has been misapplied,including recovery of sums or other assets representing it or any such income or profits, and
  - (f) use of anything recovered in cases where—
    - (i) anything to be funded by the CIL has not been provided, or
    - (ii) the CIL has been misapplied.
- (8) This section does not limit section 216(7)(f).]

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**Textual Amendments**

- F1** S. 216A - S. 216B inserted (15.1.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. 115(6)**, 240(2) (with s. 144); [S.I. 2012/57](#), **art. 4(1)(g)** (with **arts. 679-11**)

**Changes to legislation:**

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

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

- Pt. 10A inserted by [2023 c. 55 Sch. 12 para. 1](#)
- s. 37(3A) inserted by [2021 c. 30 Sch. 15 para. 7](#)
- s. 37(3A) inserted by [2021 c. 30 Sch. 15 para. 7](#)
- s. 103(1A) inserted by [2021 c. 30 Sch. 15 para. 2](#)
- s. 103(1A) inserted by [2021 c. 30 Sch. 15 para. 2](#)
- s. 104(3)-(3B) substituted for s. 104(3) by [2021 c. 30 Sch. 15 para. 3\(2\)](#)
- s. 104(3)-(3B) substituted for s. 104(3) by [2021 c. 30 Sch. 15 para. 3\(2\)](#)
- s. 105(3)(4) inserted by [2021 c. 30 Sch. 15 para. 4\(1\)](#)
- s. 105(3)(4) inserted by [2021 c. 30 Sch. 15 para. 4\(1\)](#)
- s. 120(2)(c) inserted by [2021 c. 30 Sch. 15 para. 8](#)
- s. 120(2)(c) inserted by [2021 c. 30 Sch. 15 para. 8](#)
- s. 223(1)(za) inserted by [2023 c. 55 s. 139\(6\)](#)
- s. 232(5)(f) inserted by [2021 c. 30 Sch. 15 para. 9\(2\)](#)
- s. 232(5)(f) inserted by [2021 c. 30 Sch. 15 para. 9\(2\)](#)
- Sch. 2A inserted by [2021 c. 30 Sch. 15 para. 5](#)
- Sch. 2A inserted by [2021 c. 30 Sch. 15 para. 5](#)