



# Defence Reform Act 2014

## 2014 CHAPTER 20

### PART 2

#### SINGLE SOURCE CONTRACTS

##### *Pricing of contracts*

## 22 Recovery of unpaid amounts

- (1) This section applies where—
- (a) the SSRO determines by virtue of section [<sup>F1</sup>16(4),] 18(3)(b), 20(6) or 21(3) (b) that the price payable under a qualifying defence contract is to be adjusted, and
  - (b) as a result of the adjustment—
    - (i) the Secretary of State is required to pay an amount to the primary contractor, or
    - (ii) the primary contractor is required to repay an amount to the Secretary of State.
- (2) If all or part of the amount mentioned in subsection (1)(b)(i) or (ii) is not paid or repaid before the payment date, the unpaid balance carries interest from that date at the rate for the time being specified in section 17 of the Judgments Act 1838.
- (3) The “payment date” is the date determined by the SSRO, in making the determination in question, as the date by which the amount must be paid or repaid.
- (4) The person to whom the amount is required to be paid or repaid (“the creditor”) may recover from the other person as a debt due to the creditor the unpaid balance and any unpaid interest.

#### Textual Amendments

- F1** Word in s. 22(1)(a) inserted (19.1.2024) by [Procurement Act 2023 \(c. 54\), s. 127\(2\), Sch. 10 para. 6; S.I. 2024/61, reg. 2\(1\)\(b\)\(iii\)](#) (with [reg. 3](#))

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*Changes to legislation: Defence Reform Act 2014, Section 22 is up to date with all changes known to be in force on or before 21 March 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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#### **Commencement Information**

**II** S. 22 in force at 5.12.2014 by S.I. 2014/3162, **art. 3(c)**

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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):

- s. 25(8A) inserted by [2023 c. 54 Sch. 10 para. 13\(3\)](#)
- s. 35A inserted by [2023 c. 54 Sch. 10 para. 19](#)