
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision about application, annual and other fees relating to premises licences issued under Part 8 of the Gambling Act 2005 (“the Act”).

The Regulations make provision as to the following types of fee:

- licence application fee (regulations 4 and 5),
- annual fee (regulation 6),
- notification of a change of circumstance fee (regulation 8),
- application to vary a licence fee (regulation 9),
- application to transfer a licence fee (regulation 10),
- fee for a copy of a licence (regulation 11),
- application for reinstatement of a licence fee (regulation 12), and
- provisional statement application fee (regulation 13).

In each case, the fee is that specified in the relevant regulation or in the table of fees in the Schedule. That table specifies fees according to the class of premises licence to which the fee relates. Regulation 3 sets out the different classes of premises licence. Six of these classes are identical to those set out in section 150 of the Act. The remainder are defined in regulation 2.

Regulations 4 and 5 provide for the fees for conversion applications and non-conversion applications. The terms “conversion application” and “non-conversion application” are defined in regulation 2 – the former meaning an application to which paragraph 54 of Schedule 4 to the Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006 (S.I.2006/3272) (“the Transitional Order”) applies.

Regulation 4 provides for two types of conversion application – fast track and non-fast track applications – which are defined in regulation 2 as meaning applications to which paragraphs 57 and 56 of Schedule 4 to the Transitional Order, respectively, apply. Regulation 4 provides that the fees for fast track and non-fast track applications are to be the amounts specified in regulation 4(a) and the table in the Schedule respectively.

Regulation 5 provides for different fees for two types of non-conversion applications:

- those in respect of provisional statement premises, and
- those in respect of any other premises.

The term “provisional statement premises” is defined in regulation 5(2).

Regulation 6 provides that the annual fee for a premises licence is to be as set out in column (5) of the table in the Schedule, except in the case of the first annual fee for a licence issued following a non-conversion application (where the fee will be as specified in column (6) of that table).

Regulation 7(1) provides that, where a licence comes into effect on the date on which it is issued (“the issue date”), the first annual fee shall be paid within 30 days after that date. Regulation 7(2) provides that, where a licence specifies that it is to come into force on a date after the issue date, the first annual fee shall be paid either within 30 days after the date of coming into force, or within 12 months of the issue date, whichever is sooner. Regulation 7(2) does not apply to licences which were issued before 1st September 2007 – transitional provision as to the payment of first annual fees in respect of such licences is made in paragraph 36 of Schedule 4 to the Transitional Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulations 8 to 13 set further fees.