



Food Safety Act 1990

1990 CHAPTER 16

PART IV

MISCELLANEOUS AND SUPPLEMENTAL

Financial provisions

45 Regulations as to charges.

- (1) [^{F1}the Secretary of State] may make regulations requiring or authorising charges to be imposed by enforcement authorities in respect of things done [^{F2}or to be done] by them which they are required or authorised to do by or under this Act.
- (2) Regulations under this section may include such provision as [^{F1}the Secretary of State] see fit as regards charges for which the regulations provide and the recovery of such charges; and nothing in the following provisions shall prejudice this.
- (3) Regulations under this section may provide that the amount of a charge (if imposed) is to be at the enforcement authority's discretion or to be at its discretion subject to a maximum or a minimum.
- (4) Regulations under this section providing that a charge may not exceed a maximum amount, or be less than a minimum amount, may—
 - (a) provide for one amount, or a scale of amounts to cover different prescribed cases; and
 - (b) prescribe, as regards any amount, a sum or a method of calculating the amount.

Textual Amendments

- F1** Words in s. 45(1)(2) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 8** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**
- F2** Words in s. 45(1) inserted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 20** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

Changes to legislation: Food Safety Act 1990, Section 45 is up to date with all changes known to be in force on or before 20 May 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

Modifications etc. (not altering text)

- C1** S. 45 transfer of functions (23.3.2005) by [Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2005 \(S.I. 2005/849\)](#), art. 1, **Sch.** (with art. 6)
- C2** S. 45 power to apply in part for certain purposes conferred (S.) (1.4.2015) by [Food \(Scotland\) Act 2015 \(asp 1\)](#), **ss. 49(2)(c)(x)**, 63(2) (with s. 62); S.S.I. 2015/99, art. 2

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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- s. 37(2)(a) repealed by [2007 c. 15 Sch. 23 Pt. 1](#)