



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 8

#### PREMISES LICENCES

##### *General*

#### 212 Fees

- (1) Regulations under this Part prescribing a fee—
  - (a) may provide for the amount of the fee to be determined by a licensing authority, and
  - (b) may, if they make provision by virtue of paragraph (a), specify constraints on a licensing authority's power to determine the amount of the fee.
- (2) Where provision is made under subsection (1) for the amount of a fee to be determined by a licensing authority, the authority—
  - (a) shall determine the amount of the fee,
  - (b) may determine different amounts for different classes of case specified in the regulations (but may not otherwise determine different amounts for different cases),
  - (c) shall publish the amount of the fee as determined from time to time, and
  - (d) shall aim to ensure that the income from fees of that kind as nearly as possible equates to the costs of providing the service to which the fee relates (including a reasonable share of expenditure which is referable only partly or only indirectly to the provision of that service).
- (3) For the purposes of subsection (2)(d) a licensing authority shall compare income and costs in such manner, at such times and by reference to such periods as the authority, having regard to any guidance issued by the Secretary of State, think appropriate.
- (4) Regulations by virtue of this section may (without prejudice to the generality of section 355)—

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*Status: This is the original version (as it was originally enacted).*

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- (a) make provision which applies generally or only to specified authorities or classes of authority,
  - (b) make different provision for different authorities or classes of authority, and
  - (c) make transitional provision in respect of a case where an authority enters or leaves a class.
- (5) A class of authority for the purposes of subsection (4) may, in particular, be defined by reference to categories assigned under section 99 of the Local Government Act [2003 \(c. 26\)](#).
- (6) This section does not apply to Scotland.