



# Human Fertilisation and Embryology Act 2008

## 2008 CHAPTER 22

### PART 1

#### AMENDMENTS OF THE HUMAN FERTILISATION AND EMBRYOLOGY ACT 1990

##### *Miscellaneous*

#### 27 Fees

After section 35A of the 1990 Act (as inserted by section 26 above) insert—

*“Fees*

##### **35B Fees**

- (1) The Authority may charge a fee in respect of any of the following—
- (a) an application for a licence,
  - (b) the grant or renewal of a licence,
  - (c) an application for the revocation or variation of a licence, or
  - (d) the exercise by the Authority of any other function conferred on it by or under this Act or by or under any other enactment—
    - (i) in relation to a licence,
    - (ii) in relation to premises which are or have been premises to which a licence relates,
    - (iii) in relation to premises which are or have been relevant third party premises in relation to a licence, or
    - (iv) in relation to premises which, if an application is granted, will be premises to which a licence relates or relevant third party premises.

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*Status: This is the original version (as it was originally enacted).*

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- (2) The amount of any fee charged by virtue of subsection (1) is to be fixed in accordance with a scheme made by the Authority with the approval of the Secretary of State and the Treasury.
- (3) In fixing the amount of any fee to be charged by virtue of that subsection, the Authority may have regard to the costs incurred by it—
  - (a) in exercising the functions conferred on it by or under this Act (apart from sections 31ZA to 31ZG and 33D), and
  - (b) in exercising any other function conferred on it by or under any other enactment.
- (4) The Authority may also charge such fee as it thinks fit in respect of any of the following—
  - (a) the giving of notice under section 31ZA(1) or 31ZB(1), or
  - (b) the provision of information under section 31ZA, 31ZB or 31ZE.
- (5) In fixing the amount of any fee to be charged by virtue of subsection (4) the Authority may have regard to the costs incurred by it in exercising the function to which the fee relates.
- (6) When exercising its power to charge fees under section 8(2), 31ZF(2)(d) or this section, the Authority may fix different fees for different circumstances.”