



# Small Business, Enterprise and Employment Act 2015

## 2015 CHAPTER 26

### PART 4

#### THE PUBS CODE ADJUDICATOR AND THE PUBS CODE

##### *Funding of Adjudicator*

#### **63 Levy funding**

- (1) The Adjudicator may require pub-owning businesses to pay in each financial year a levy towards the Adjudicator's expenses.
- (2) Before imposing a levy, the Adjudicator must obtain the Secretary of State's consent.
- (3) In deciding the amount of a levy, the Adjudicator must take into account any sums received or expected to be received from other sources.
- (4) The Adjudicator may take into account estimated as well as actual expenses.
- (5) The Adjudicator may require different pub-owning businesses or different descriptions of pub-owning businesses to pay different amounts of levy, but any differences must be based on criteria broadly intended to reflect the expense and time that the Adjudicator expects to spend in dealing with matters relating to different pub-owning businesses.
- (6) The Adjudicator must inform each pub-owning business of—
  - (a) the amount of any levy payable by the business,
  - (b) when payments are due, and
  - (c) how the levy is to be paid.
- (7) A levy required to be paid under this section is recoverable by the Adjudicator as a debt.

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*Status: This is the original version (as it was originally enacted).*

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- (8) The Adjudicator must publish details of levies and an explanation of how the amounts have been decided (including any criteria under subsection (5)).
- (9) If the Adjudicator has a surplus, the Adjudicator may repay some or all of it to pub-owning businesses.
- (10) In subsection (9) “surplus” means money held by the Adjudicator at the end of a financial year less liabilities shown in the Adjudicator’s statement of accounts for that financial year.

#### **64 Loans by Secretary of State**

The Secretary of State may make loans to the Adjudicator.