



Public Expenditure and Receipts Act 1968

1968 CHAPTER 14

5 Increase of fees etc.

- (1) With a view to securing from the fees, charges or other payments required or regulated by the enactments mentioned in column 1 of Schedule 3 to this Act a net return corresponding more nearly with the cost of the matters for which they are payable, or to dispensing with payments from which a net return cannot reasonably be expected, those enactments may be amended by an order made by the Minister specified in relation to the enactment in question in column 2 of the Schedule, so as to vary any sum specified by the enactment as the amount or maximum amount of any payment, or so as to provide that any sum payable under the enactment shall cease to be payable.
- (2) The powers conferred by subsection (1) above in relation to any enactment shall be exercisable in relation to that enactment as applied by any other enactment, and shall include power—
 - (a) to make different provision for different cases, or provision limited to specified cases; and
 - (b) to repeal any enactment superseded by the exercise of the powers (including any enactment amending an enactment mentioned in Schedule 3 to this Act); and
 - (c) to vary or revoke any previous order under subsection (1) above.
- (3) The power to make orders under subsection (1) above shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) There shall be paid into the Exchequer any addition resulting from this section to the sums so payable by virtue of any other enactment.
- (5) This section shall extend to Northern Ireland in so far as it affects—
 - (a) section 9 of the ^{M1}Fees (Increase) Act 1923 in its operation on any enactment relating to matters in respect of which the Parliament of Northern Ireland has no power to make laws; or
 - (b) section 90(2) of the ^{M2}Transport Act 1962.

Changes to legislation: There are currently no known outstanding effects for the Public Expenditure and Receipts Act 1968, Section 5. (See end of Document for details)

Subordinate Legislation Made

- P1** S. 5: power exercised by [S.I. 1991/274](#).
S. 5: for previous exercises of power see Index to Government Orders.
- P2** S. 5: s. 5 (with Sch. 3) power exercised (E.W.S) by [S.I. 1991/2005](#).
S. 5: s. 5 (with Sch. 3) power exercised (S.) (12.12.1991) by [S.I.1991/2818](#).
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Modifications etc. (not altering text)

- C1** Functions of the Minister for the Civil Service under s. 5 transferred to the Treasury by [S.I. 1981/1670](#), [art. 2\(3\)\(a\)](#), Sch.
- C2** S. 5: transfer of functions (3.4.2008) by [Transfer of Functions \(Registration\) Order 2008 \(S.I. 2008/678\)](#), [art. 1\(2\)](#), [Sch. 1 para. 8](#) (with [art. 4](#))
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Marginal Citations

- M1** [1923 c. 4](#).
- M2** [1962 c. 46](#).

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