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STATUTORY INSTRUMENTS

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**1991 No. 632**

**The Medicines (Fees Relating to Medicinal Products for Animal Use) Regulations 1991**

**PART VIII**

**ADMINISTRATION**

**Payment of fees to Ministers**

**13.** Any sums which under the provisions of these Regulations become payable by way of, or on account of, fees shall be paid to one of the Agriculture Ministers specified in section 1(1)(b) of the Act as appropriate.

**Time for payment of capital fees in connection with applications or inspections and refunds of such fees**

**14.—(1)** Subject to paragraphs (2) and (3), all sums payable by way of capital fees under these Regulations in connection with any application shall be payable at the time of the application.

(2) If, following either the determination of an application or an inspection, it becomes apparent that—

- (a) a lesser fee was properly payable, the excess shall be refunded to the applicant, or as the case may be, the holder of the licence or certificate concerned within 28 days of a request for a refund; or
- (b) a higher fee was properly payable, the balance due shall be payable within 28 days following written notice from the licensing authority to the applicant or, as the case may be, the holder of the licence or certificate concerned.

(3) All sums payable by way of fees in respect of inspections made either in connection with an application or during the currency of a licence or certificate or in respect of samples submitted for testing shall become payable within 28 days following written notice from the licensing authority.

**Time for payment of annual fees**

**15.** All annual fees shall be payable during September of the licence year following the calendar year to which they relate.

**Late payment of annual fees**

**16.—(1)** Where an annual fee has not been paid by the holder or former holder of the licence by the end of the period of one month from the due date, a further fee, calculated in accordance with the provisions of the following paragraphs, shall be payable.

(2) The further fee referred to in the preceding paragraph shall be an amount equivalent to 5 per cent. of the annual fee payable, in respect of every full calendar month during which the annual fee

is not paid, rounded up to the nearest £10. Where the annual fee payable is less than £10, no such fee shall be payable.

(3) Where the holder or former holder of a licence has not furnished evidence of his annual turnover in accordance with the provisions of Part I of Schedule 4 so that the annual fee payable in respect of a licence year cannot be determined before the due date, he may make a payment of an amount on account of the annual fee payable by him (in this regulation referred to as a “payment on account”).

(4) Where the holder or former holder of a licence has made a payment on account in the circumstances mentioned in the preceding paragraph the further fee payable by him shall be calculated as if, in paragraph (2) above, the reference to the annual fee payable were to the difference between the payment on account and the amount of the annual fee as subsequently determined.

(5) In this regulation—

- (a) “due date” means the date upon which an annual fee became payable following written notice from the licensing authority;
- (b) references to a period calculated from a day are references to the period inclusive of that day.

### **Suspension of licences**

17. Where any sum due by way of, or on account of, any fee or any part thereof payable under these Regulations remains unpaid by the holder of a licence or certificate, the licensing authority may serve a notice on him requiring payment of the sum unpaid and, if after a period of one month from the date of service of such notice, or such longer period as the licensing authority may allow, the said sum remains unpaid, the licensing authority may forthwith suspend the licence or certificate until such sum has been paid.

### **Civil proceedings to recover unpaid fees**

18. All unpaid sums due by way of, or on account of, any fees payable under these Regulations shall be recoverable as debts due to the Crown.

### **Waiver, reduction or refund of fees**

19. The licensing authority may waive payment of, reduce any fee or part of a fee otherwise payable under these Regulations or refund the whole or part of any fee already so paid in exceptional circumstances or in any of the circumstances specified in Schedule 3.