
Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Tied Pubs (Scotland) Act 2021, Cross Heading: Amount of levy. (See end of Document for details)

PROSPECTIVE

SCHEDULE 2 SCOTTISH PUBS CODE ADJUDICATOR

PART 3

FUNDING AND OTHER SUPPORT

CHAPTER 2

LEVY FUNDING

Amount of levy

- 13 (1) The rate at which a person is to be charged the levy in respect of a financial year is to be set by the adjudicator.
- (2) The adjudicator may set different rates for different persons or descriptions of person.
- (3) Any difference in the rate must be based on criteria broadly intended to reflect the expenses that the adjudicator has incurred, or expects to incur, in dealing with matters relating to different pub-owning businesses.
- (4) The adjudicator is to set the rate (or rates) on the basis that the levy's purpose is to contribute towards meeting the adjudicator's expenses.
- (5) In setting the rate (or rates) the adjudicator—
- (a) must take into account any sums received or expected to be received from sources other than levy payments, and
 - (b) may take into account estimated as well as actual expenses.
- (6) Having set the rate (or rates) for a financial year, the adjudicator must make publicly available—
- (a) a statement of the rate (or rates) set,
 - (b) an explanation of the basis on which the rate setting was done, and
 - (c) if different rates are set, a statement of the criteria referred to in sub-paragraph (3) on the basis of which those rates were set.
- (7) For the purposes of this paragraph, “expenses” includes payments made by virtue of paragraphs 23 and 25(2).

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