



Licensing (Scotland) Act 2005

2005 asp 16

PART 9

MISCELLANEOUS AND GENERAL

Procedures, forms etc.

136 Fees

- (1) The Scottish Ministers may by regulations make provision for the charging of fees by Licensing Boards—
 - (a) in respect of applications under this Act, and
 - (b) otherwise in respect of the performance of functions by Licensing Boards, councils and Licensing Standards Officers under this Act.
- (2) Regulations under subsection (1) may, in particular—
 - (a) specify fees or provide for them to be determined by reference to such factors as may be specified in or determined under the regulations,
 - (b) provide for annual or other recurring fees,
 - (c) provide for the remission or repayment of fees in such circumstances as may be specified in or determined under the regulations.
- (3) Before making any regulations under subsection (1) (other than regulations consolidating other regulations), the Scottish Ministers must consult—
 - (a) such body or bodies as appear to them to be representative of the interests of—
 - (i) Licensing Boards,
 - (ii) councils, and
 - (iii) those likely to be affected by the regulations, and
 - (b) such other persons (if any) as they think appropriate.
- (4) Where regulations under subsection (1) provide for a fee to be charged in respect of any application made to a Licensing Board under this Act, the Board need not consider the application unless and until the fee is paid.
- (5) Any fee chargeable by a Licensing Board under any regulations made under subsection (1) is to be paid to the clerk of the Board.

Changes to legislation: Licensing (Scotland) Act 2005, Section 136 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (6) The clerk of a Licensing Board must pay any sums received under subsection (5) to the relevant council.

Commencement Information

I1 S. 136 in force at 1.5.2007 by [S.S.I. 2007/129](#), art. 3, [Sch.](#)

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) Appointed Day(s) by [S.S.I. 2006/239 art. 2](#) (This S.S.I. is revoked on 25.5.2006 by S.S.I. 2006/286, art. 6)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(1A) substituted for s. 33(1)-(3) by [2015 asp 10 s. 49\(2\)\(a\)](#)
- s. 33(8)(za) inserted by [2015 asp 10 s. 49\(2\)\(c\)](#)
- s. 33(8A) inserted by [2015 asp 10 s. 49\(2\)\(d\)](#)
- s. 33A inserted by [2015 asp 10 s. 49\(4\)](#)
- s. 134ZA-134ZC inserted by [2015 asp 10 s. 61\(2\)](#)