



# Poisons Act 1972

## 1972 CHAPTER 66

### [<sup>F1</sup>4A Licences

- (1) The Secretary of State may grant a licence to a person on application by that person in accordance with this section.
- (2) The licence may permit the person to do one or more of the things listed in section 3(2) with respect to one or more of the regulated substances.
- (3) The term for which a licence is granted must not exceed 3 years, but this does not affect—
  - (a) a person's right to apply for a further licence to take effect on expiry of that term, nor
  - (b) any power of the Secretary of State under the terms and conditions of the licence to vary, suspend or revoke the licence before expiry of that term.
- (4) The Secretary of State may charge applicants a fee for processing applications for the grant or amendment of a licence or for the replacement of any lost, damaged or stolen licence.
- (5) The amount of any fees to be charged under subsection (4) must be specified in regulations made under subsection (10), and the amount specified must not exceed the reasonable cost of processing such applications.
- (6) In deciding whether to grant or amend a licence with respect to a substance, the Secretary of State must have regard to all the circumstances of the case, including in particular—
  - (a) the use intended to be made of the substance,
  - (b) the availability of alternative substances that would achieve the same purpose,
  - (c) the proposed arrangements to ensure that the substance is kept securely,
  - (d) any danger to public safety or public order that may be caused by possession of the substance, and
  - (e) whether the applicant is a fit and proper person to possess the substance.
- (7) But if there are reasonable grounds for doubting the legitimacy of the use intended to be made of the substance or the intentions of the user to use the substance for a

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*Changes to legislation: There are currently no known outstanding effects for the Poisons Act 1972, Section 4A. (See end of Document for details)*

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legitimate purpose, the Secretary of State must in any event refuse the application so far as it relates to that substance.

- (8) A licence may be granted or amended subject to such terms and conditions as may be specified in the licence.
- (9) Examples of terms and conditions that may be specified include, for any substances with respect to which the licence is granted, terms and conditions about—
- (a) storage,
  - (b) use,
  - (c) maximum quantities,
  - (d) maximum levels of concentration, and
  - (e) reporting of disappearances or thefts.
- (10) The Secretary of State may by regulations make provision about the procedure for applying for and determining applications for the grant or amendment of licences under this section, including provision as to—
- (a) who may make an application,
  - (b) the form and manner in which an application is to be made and any documents or evidence that must accompany it,
  - (c) the amount and payment of any fees,
  - (d) the supply of any further information or document required to determine an application,
  - (e) notice and publication of any decision about an application, and
  - (f) the procedure for an internal review of any such decision.]

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**Textual Amendments**

**F1** S. 4A - S. 4B inserted (26.3.2015 for specified purposes, 20.4.2015 for specified purposes, 26.5.2015 in force in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 21 para. 6](#); [S.I. 2015/994](#), art. 5; [S.I. 2015/994](#), art. 6(p)

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**Modifications etc. (not altering text)**

**C1** Ss. 4A(6)-(9) applied (20.4.2015) by [The Control of Poisons and Explosives Precursors Regulations 2015 \(S.I. 2015/966\)](#), regs. 1(2), [4\(5\)](#) (with reg. 5)

**Changes to legislation:**

There are currently no known outstanding effects for the Poisons Act 1972, Section 4A.