



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 4

#### CLUBS

##### *General provision*

#### **91 Form etc. of applications and notices under Part 4**

In relation to any application or notice under this Part, regulations may prescribe—

- (a) its form;
- (b) the manner in which it is to be made or given;
- (c) information and documents that must accompany it.

#### **92 Fees**

(1) Regulations may—

- (a) require applications under any provision of this Part (other than section 87) to be accompanied by a fee, and
- (b) prescribe the amount of the fee.

[<sup>F1</sup>(1A) Subsection (1) is subject to regulations under section 134(2)(c)(ii) of the Police Reform and Social Responsibility Act 2011 (exemption from fees for variation applications prior to introduction of late night levy).]

(2) Regulations may also require the payment of an annual fee to the relevant licensing authority by or on behalf of a club which holds a club premises certificate.

(3) Regulations under subsection (2) may include provision—

- (a) imposing liability for the making of the payment on the secretary or such other officers or members of the club as may be prescribed,
- (b) prescribing the amount of any such fee, and
- (c) prescribing the time at which any such fee is due.

*Changes to legislation: Licensing Act 2003, Cross Heading: General provision is up to date with all changes known to be in force on or before 11 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*

- (4) Any fee which is owed to a licensing authority under subsection (2) may be recovered as a debt due to the authority from any person liable to make the payment by virtue of subsection (3)(a).

#### Textual Amendments

- F1** S. 92(1A) inserted (31.10.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. [139\(3\)](#), [157\(1\)](#) (with s. 138); S.I. 2012/2670, art. 2(b)

### [<sup>F2</sup>92A Suspension of club premises certificate for failing to pay annual fee

- (1) A licensing authority must suspend a club premises certificate if the holder of the certificate has failed to pay the authority an annual fee that has become due under section 92(2).
- (2) Subsection (1) does not apply if—
- (a) either—
    - (i) the holder's failure to pay the fee at the time it became due was because of an administrative error (whether made by the holder, the authority or anyone else), or
    - (ii) before or at the time the fee became due, the holder notified the authority in writing that the holder disputed liability for, or the amount of, the fee, and
  - (b) the grace period for payment of the fee has not expired (see subsection (8)).
- (3) If a licensing authority suspends a club premises certificate under subsection (1), the authority must give the holder of the certificate a notice to that effect, specifying the day the suspension takes effect.
- (4) A day specified in a notice under subsection (3) must be at least 2 working days after the day the authority gives the notice.
- (5) If the holder of the certificate pays the annual fee, the licensing authority must give the holder written acknowledgement of receipt of the fee.
- (6) The acknowledgement of receipt under subsection (5) must—
- (a) specify the day the authority received the fee (the “receipt day”), and
  - (b) be given to the holder as soon as is reasonably practicable but in any event—
    - (i) if the receipt day was a working day, before the end of the first working day after the receipt day,
    - (ii) otherwise, before the end of the second working day after the receipt day.
- (7) A suspension of a club premises certificate under subsection (1)—
- (a) takes effect on the day specified in the notice under subsection (3), and
  - (b) ceases to have effect on the receipt day, as specified in the acknowledgement of receipt under subsection (5).
- (8) In this section, the “grace period” for payment of a fee is the period of 21 days, beginning on the day after the day the fee became due.]

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**Textual Amendments**

**F2** S. 92A inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 120(5)**, 157(1) (with s. 120(6)); S.I. 2012/1129, art. 2(d)

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

**C1** S. 92A applied (with modifications) (31.10.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 129(6)(b)**, 157(1) (with s. 138); S.I. 2012/2670, art. 2(b)

**Changes to legislation:**

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**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):

- Pt. 5A inserted by [2015 c. 20 s. 67\(2\)](#)Sch. 17
- s. 2(1A) inserted by [2015 c. 20 s. 67\(1\)](#)
- s. 10(4)(e) and word inserted by [2011 c. 13 s. 121\(3\)\(b\)](#)
- s. 140(2)(e) inserted by [2015 c. 20 s. 67\(4\)\(b\)](#)
- s. 141(2)(e) inserted by [2015 c. 20 s. 67\(5\)\(b\)](#)
- s. 143(2)(e) inserted by [2015 c. 20 s. 67\(6\)\(b\)](#)
- s. 144(2)(e) inserted by [2015 c. 20 s. 67\(7\)\(b\)](#)
- s. 147A(4)(c) inserted by [2015 c. 20 s. 67\(8\)\(b\)](#)
- s. 153(4)(d) inserted by [2015 c. 20 s. 67\(9\)\(b\)](#)
- s. 197(3)(cza) inserted by [2015 c. 20 s. 67\(12\)\(a\)](#)
- s. 197A197B inserted by [2011 c. 13 s. 121\(2\)](#)