



# Police Reform and Social Responsibility Act 2011

## 2011 CHAPTER 13

### PART 2

#### LICENSING

### CHAPTER 2

#### LATE NIGHT LEVY

##### *Administration of late night levy*

#### **129 Payment and administration of the levy**

- (1) Regulations—
  - (a) must make provision as to collection and administration, and
  - (b) may make provision as to enforcement,of [<sup>F1</sup>a late night levy].
- (2) Regulations under subsection (1) must make provision as to the time or times for payment of [<sup>F2</sup>a levy] to a licensing authority by holders of [<sup>F3</sup>a late night authorisation to which a late night levy requirement relates].
- (3) Provision made by virtue of subsection (2) may in particular provide for any such time or times to be determined by reference to the holders' payment years.
- (4) Regulations under subsection (1) may make provision for adjustments to be made in cases where—
  - (a) [<sup>F4</sup>a late night authorisation to which a late night levy requirement relates] ceases to be such an authorisation during the holder's payment year;

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*Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 129. (See end of Document for details)*

- (b) a premises licence or club premises certificate becomes [<sup>F5</sup>a late night authorisation to which a late night levy requirement relates] during the holder's payment year;
- (c) an order under section 172A of that Act (early morning restriction orders) precludes the supply of alcohol by virtue of [<sup>F6</sup>a relevant late night alcohol authorisation to which a late night levy requirement relates] at all the times during the applicable late night supply period when it would otherwise have been permitted by virtue of the authorisation;

including in cases where the change occurs after the end of [<sup>F7</sup>the levy year in question].

- (5) Any payment of [<sup>F8</sup>a late night levy] which is owed to a licensing authority under this Chapter may be recovered as a debt due to the authority.
- (6) The following provisions of the Licensing Act 2003 apply for the purposes of this Chapter—
  - (a) section 55A (suspension of premises licence for failure to pay annual fee);
  - (b) section 92A (suspension of club premises certificate for failure to pay annual fee),
 but as if a reference to an annual fee, or to the annual fee owed under section 55(2) or 92(2), were a reference to [<sup>F9</sup>a late night levy], or to the amount of [<sup>F9</sup>a late night levy] owed under this Chapter.
- (7) Provision that may be made by regulations under this section includes provision conferring functions or a discretion on licensing authorities.

#### Textual Amendments

- F1** Words in s. 129(1) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(2)**; S.I. 2023/789, reg. 2(b)
- F2** Words in s. 129(2) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(3)(a)**; S.I. 2023/789, reg. 2(b)
- F3** Words in s. 129(2) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(3)(b)**; S.I. 2023/789, reg. 2(b)
- F4** Words in s. 129(4)(a) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(4)(a)**; S.I. 2023/789, reg. 2(b)
- F5** Words in s. 129(4)(b) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(4)(b)**; S.I. 2023/789, reg. 2(b)
- F6** Words in s. 129(4)(c) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(4)(c)**; S.I. 2023/789, reg. 2(b)
- F7** Words in s. 129(4) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(4)(d)**; S.I. 2023/789, reg. 2(b)
- F8** Words in s. 129(5) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(5)**; S.I. 2023/789, reg. 2(b)

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**Changes to legislation:** There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 129. (See end of Document for details)

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**F9** Words in s. 129(6) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 5(6)**; S.I. 2023/789, reg. 2(b)

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**Commencement Information**

**I1** S. 129 in force at 31.10.2012 by S.I. 2012/2670, **art. 2(b)**

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 129.