



# Environmental Protection Act 1990

## 1990 CHAPTER 43

### PART VI

#### GENETICALLY MODIFIED ORGANISMS

##### *Consents*

#### **113 Fees and charges.**

- (1) The Secretary of State may, with the approval of the Treasury, make and from time to time revise a scheme prescribing—
  - (a) fees payable in respect of applications for consents; and
  - (b) charges payable by persons holding consents in respect of the subsistence of their consents;and it shall be a condition of any such consent that any applicable prescribed charge is paid in accordance with that scheme.
- (2) A scheme under this section may, in particular—
  - (a) provide for different fees or charges to be payable in different cases or circumstances;
  - (b) provide for the times at which and the manner in which payments are to be made; and
  - (c) make such incidental, supplementary and transitional provision as appears to the Secretary of State to be appropriate.
- (3) The Secretary of State shall so frame a scheme under this section as to secure, so far as practicable, that the amounts payable under it will be sufficient, taking one financial year with another, to cover the expenditure of the Secretary of State in discharging his functions under this Part in relation to consents.
- (4) The Secretary of State shall, on making or revising a scheme under this section, lay a copy of the scheme or of the scheme as revised before each House of Parliament.

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**Changes to legislation:** Environmental Protection Act 1990, Section 113 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

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[<sup>F1</sup>(5) The Scottish Ministers may, with the consent of the Secretary of State, provide in a scheme under this section for any functions under the scheme to be performed by a Minister of the Crown or government department where they consider it expedient to do so in relation to [<sup>F2</sup>[<sup>F3</sup>assimilated] law which implemented Directive 2001/18/EC of the European Parliament and of the Council ].]

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#### Textual Amendments

- F1** S. 113(5) inserted (S.) (5.4.2001) by [S.S.I. 2001/99](#), **reg. 2**
- F2** Words in s. 113(5) substituted (31.12.2020) by [The Environment \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/458\)](#), regs. 1(1), **2(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in s. 113(5) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 29(5)**
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#### Modifications etc. (not altering text)

- C1** S. 113(1) functions modified (W.) (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **27**
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#### Commencement Information

- I1** S. 113 wholly in force at 1.4.1991 see s. 164(3) and [S.I. 1991/1042](#), **art. 2**

**Changes to legislation:**

Environmental Protection Act 1990, Section 113 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.

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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):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)