



# Traffic Management Act 2004

## 2004 CHAPTER 18

### PART 3

#### PERMIT SCHEMES

#### **[F136 Variation and revocation of permit schemes**

- (1) A local highway authority in England may by order vary or revoke a permit scheme to the extent that it has effect in the area of the authority by virtue of an order made by the authority under section 33A(2).
- (2) The Secretary of State may direct a local highway authority in England to vary or revoke a permit scheme by an order under subsection (1).
- (3) An order made by a local highway authority under subsection (1) may vary or revoke an order made by the authority under section 33A(2), or an order previously made by the authority under subsection (1).
- (4) A strategic highways company may by order vary or revoke a permit scheme to the extent that it has effect, by virtue of an order made by the company under section 33A(2), in the area in respect of which the company is appointed.
- (5) The Secretary of State may direct a strategic highways company to vary or revoke a permit scheme by an order under subsection (4).
- (6) An order made by a strategic highways company under subsection (4) may vary or revoke an order made by the company under section 33A(2), or an order previously made by the company under subsection (4).
- (7) The Welsh Ministers may by order vary or revoke any permit scheme which for the time being has effect by virtue of an order made by them under section 34(4) or 35(2).
- (8) An order under subsection (7) may vary or revoke an order made by the Welsh Ministers under section 34(4) or 35(2), or an order previously made under subsection (7).

**Changes to legislation:** Traffic Management Act 2004, Section 36 is up to date with all changes known to be in force on or before 18 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

- (9) The Secretary of State may by order vary or revoke any permit scheme which for the time being has effect by virtue of an order made by the Secretary of State under section 35(2).
- (10) An order under subsection (9) may vary or revoke an order made by the Secretary of State under section 35(2), or an order previously made under subsection (9).
- (11) An order under subsection (7) or (9) may relate to one or more permit schemes.
- (12) An order under this section may (in accordance with permit regulations) include provisions which disapply or modify enactments to the extent specified in the order.]

#### Textual Amendments

- F1** S. 36 substituted (26.3.2015 for specified purposes, 30.6.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 10 para. 8**; S.I. 2015/994, art. 9(b)

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

- C1** Pt. 3 applied (with modifications) (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), 8(4), **Sch. 2**
- C2** Pt. 3 applied (with modifications) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), 23(4)(7), **Sch. 4**
- C3** Pt. 3 applied (with modifications) (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), 20(4), **Sch. 4**
- C4** Pt. 3 applied (with modifications) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), 20(4), **Sch. 4**
- C5** S. 36 functions made exercisable concurrently (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), **8(1)(3)**
- C6** S. 36: functions made exercisable concurrently (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), **23**
- C7** S. 36: functions made exercisable concurrently (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **20(1)(3)** (with art. 20(8))
- C8** S. 36: functions made exercisable concurrently (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **20(1)(3)** (with reg. 20(6))

**Changes to legislation:**

Traffic Management Act 2004, Section 36 is up to date with all changes known to be in force on or before 18 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 :**

- s. 36 functions made exercisable concurrently by [S.I. 2024/402 art. 22\(1\)](#)
- specified provision(s) amendment to earlier commencing SI 2007/2053 art. 8(2)(b) by [S.I. 2011/2938 art. 2](#)