

1988 No. 1788

TRIBUNALS AND INQUIRIES

**The Fees for Inquiries (Standard Daily Amount)
Regulations 1988**

<i>Made</i> - - - -	<i>16th October 1988</i>
<i>Laid before Parliament</i>	<i>27th October 1988</i>
<i>Coming into force</i>	<i>17th November 1988</i>

The Secretary of State and the Minister of Agriculture, Fisheries and Food, being Ministers authorised under section 42(1) of the Housing and Planning Act 1986(a) to recover the costs of specified inquiries, in exercise of the powers conferred on them by section 42(4) of that Act, and of all other powers enabling them in that behalf, hereby make the following Regulations:-

Citation and commencement

1. These Regulations may be cited as the Fees for Inquiries (Standard Daily Amount) Regulations 1988 and shall come into force on 17th November 1988.

Application

2. These Regulations apply to inquiries the Minister's costs in relation to which are recoverable under or by virtue of-

- (a) section 250(4) of the Local Government Act 1972(b), (general provisions as to costs of inquiries),
- (b) section 96(5) of the Land Drainage Act 1976(c), (cost of inquiry under that Act),
- (c) section 129(1)(d) of the Road Traffic Regulation Act 1984(d) (costs of inquiry under that Act), and
- (d) paragraph 9(2) of Schedule 22 to the Housing Act 1985(e), (costs of inquiry in connection with acquisition of land for clearance).

Standard Daily Amount

3. The standard daily amount prescribed under section 42(4) of the Housing and Planning Act 1986 for inquiries to which these regulations apply is—

- (a) £160 for any day before 1st April 1989; and
- (b) £210 on or after 1st April 1989.

(a) 1986 c.63.
(b) 1972 c.70.
(c) 1976 c.70.
(d) 1984 c.27.
(e) 1985 c.68.

11th October 1988

Nicholas Ridley
One of Her Majesty's Principal Secretaries of State

16th October 1988

John MacGregor
Minister of Agriculture, Fisheries and Food

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to England and Wales, apply where a Minister is authorised under or by virtue of specified provisions to recover his costs in connection with the holding of an inquiry.

The Regulations specify a standard amount which may be charged for each day on which the inquiry sits or the person appointed to hold the inquiry is otherwise engaged on work connected with it. The amount is £160 per day up to and including the 31st of March 1989; and £210 per day thereafter.

Provisions repealed by the 1986 Act specify maximum amounts which a Minister may recover in respect of the services of officers engaged on an inquiry. These specified amounts are now £105 per day in the case of inquiries under section 250(4) of the Local Government Act 1972 (see S.I. 1980/1612) and smaller amounts in other cases.

Transitional provisions are made as respects the application of section 42 of the 1986 Act, and consequently as respects the application of these regulations, by the Housing and Planning Act 1986 (Commencement No. 12) Order 1988 (S.I. 1988/1787). The effect is that the standard daily amount specified by these Regulations is not payable in relation to any inquiry which opens before the date when they come into force or, in a case where an inquiry is fixed but does not take place, if the date for the inquiry was notified to the principal parties before the commencement of these Regulations.

45p net

ISBN 0 11 087788 8