
STATUTORY INSTRUMENTS

1997 No. 2942 (S. 187)

ROADS AND BRIDGES, SCOTLAND

The Removal of Vehicles (Prescribed Charges) (Scotland) Regulations 1997

<i>Made</i>	- - - -	<i>9th December 1997</i>
<i>Laid before Parliament</i>		<i>11th December 1997</i>
<i>Coming into force</i>	- -	<i>1st January 1998</i>

The Secretary of State, in exercise of the powers conferred on him by section 38(5) of the New Roads and Street Works Act 1991(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Removal of Vehicles (Prescribed Charges) (Scotland) Regulations 1997 and shall come into force on 1st January 1998.

Prescribed charges

2.—(1) The prescribed charge which a person is liable to pay in respect of the removal of his vehicle by virtue of section 38(3) of the New Roads and Street Works Act 1991 shall be, in respect of each description of vehicle specified in column (1) of the Schedule to these Regulations, the amount set out opposite thereto in column (2) of that Schedule.

(2) On the variation date the prescribed charge referred to in paragraph (1) above shall be increased or decreased (as the case may be) by the RPI percentage.

(3) In this regulation—

“the RPI percentage” means the percentage increase or decrease (as the case may be) in the Retail Prices Index published from time to time in Table 5 (in respect of all items except mortgage interest payments) (RPIX) of Business Monitor (MM23) as revised from time to time maintained by the Office of National Statistics calculated by reference to the published figures in respect of such Index current as at 31st October 1997 and the published figures in respect of such Index current as at 31st October immediately prior to the variation date in question.

“the variation date” means 1st January 1999 and 1st January in each year thereafter.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St Andrew's House,
Edinburgh
9th December 1997

Donald C Dewar
One of Her Majesty's Principal Secretaries of
State

SCHEDULE

Regulation 2(1)

<i>(1)</i> <i>Description of Vehicle</i>	<i>(2)</i> <i>Prescribed Charge</i>
Vehicle with a laden weight of up to 3.5 tonnes	£36.00
Vehicle with a laden weight of more than 3.5 tonnes, but not exceeding 24 tonnes	£47.00
Vehicles with a laden weight of more than 24 tonnes	£61.00

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part II of the New Roads and Street Works Act 1991 (“the Act”) introduced to Scotland a new means of providing new roads. This involves the charging of tolls as authorised by a toll order under the Act. Section 38(2) of the Act empowers a person employed for the purposes of collecting tolls (“the toll collector”) payable by virtue of a toll order to—

- (a) refuse a person to pass if he fails to pay the toll without reasonable excuse; and
- (b) require the person in default to remove his vehicle, which failing the toll collector may cause the vehicle to be removed.

In the event that the toll collector has to remove the vehicle, the person in default is liable to pay a prescribed charge in respect of that removal (see section 38(3)).

These Regulations prescribe the amount of that charge (regulation 2(1)) and also provide for the amount of the charge to be varied in accordance with a formula, namely increased or decreased by reference to a particular Retail Price Index (regulation 2(2)).

That Retail Price Index is published in Business Monitor which is available from The Stationery Office Publications Centre, PO Box 276, London SW8 5DT.