
STATUTORY INSTRUMENTS

1998 No. 2864

TRIBUNALS AND INQUIRIES

The Fees for Inquiries (Standard Daily Amount) Regulations 1998

<i>Made</i>	- - - -	<i>16th November 1998</i>
<i>Laid before Parliament</i>		<i>30th November 1998</i>
<i>Coming into force</i>	- -	<i>21st December 1998</i>

The Secretary of State for the Environment, Transport and the Regions and the Minister of Agriculture, Fisheries and Food, each being a Minister authorised under or by virtue of statutory provisions mentioned in section 42(1) of the Housing and Planning Act 1986(1) to recover costs incurred by him in relation to an inquiry or by statutory provisions to which section 42 is applied(2), 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 1998 and shall come into force on 21st December 1998.

Application

2. These Regulations apply to inquiries in relation to which the Secretary of State or the Minister of Agriculture, Fisheries and Food (as the case may be) is entitled to recover his costs under or by virtue of any of the following provisions, namely—

- (a) section 250(4) of the Local Government Act 1972(3) (general provisions as to costs of inquiries),
- (b) section 129(1)(d) of the Road Traffic Regulation Act 1984(4) (costs of inquiry under that Act), and

(1) 1986 c. 63. Section 42(1)(b) was repealed by Part I of Schedule 3 to the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) and section 42(1)(d) was repealed by Part II of Schedule 12 to the Local Government and Planning Act 1989 (c. 42).

(2) Section 69(7) of the Land Drainage Act 1991 provides that section 42 of the Housing and Planning Act 1986 shall apply where either of the Ministers is duly authorised to recover costs incurred by him in relation to an inquiry as it applies where a Minister is so authorised by virtue of an enactment specified in section 42(1) of the 1986 Act.

(3) 1972 c. 70.

(4) 1984 c. 27.

Status: This is the original version (as it was originally made).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

(c) section 69(5) of the Land Drainage Act 1991⁽⁵⁾ (costs of inquiry under that Act), other than inquiries opened before 21st December 1998.

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 £492.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

11th November 1998

Richard Caborn
Minister of State,
Department of the Environment, Transport and
the Regions

16th November 1998

Elliot Morley
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in 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 £492 per day for any day after 21st December 1998.