



# Transport (Scotland) Act 2001

## 2001 asp 2

### PART

#### ROAD USER CHARGING

##### *Road user charging schemes*

#### **52 Charging schemes: consultation and inquiries**

- (1) Before an order making, varying or revoking a charging scheme is made, the charging authority or charging authorities (acting jointly)—
  - (a) shall consult such persons as may be specified in regulations made under section 50(3) of this Act; and
  - (b) may consult such other persons as they think fit, about the scheme or, as the case may be, the variation or revocation.
- (2) Where an order making, varying or revoking a charging scheme is submitted to the Scottish Ministers under section 51 of this Act they may at any time before the order is confirmed—
  - (a) consult; or
  - (b) require the charging authority or authorities to consult, other persons about the charging scheme or, as the case may be, the variation or revocation.
- (3) The Scottish Ministers—
  - (a) may cause an inquiry to be held in relation to a charging scheme, or the variation or revocation of such a scheme; and
  - (b) may appoint the person or persons by whom such an inquiry is to be held.
- (4) The charging authority or charging authorities (acting jointly)—
  - (a) may cause an inquiry to be held in relation to a charging scheme proposed to be made by them, or the proposed variation or proposed revocation of a charging scheme made by them; and
  - (b) may appoint the person or persons by whom such an inquiry is to be held.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Without prejudice to the generality of subsection (3) above, the Scottish Ministers may by regulations specify circumstances in which a charging authority or charging authorities (acting jointly) shall cause an inquiry to be held in relation to a charging scheme proposed to be made by them, or the proposed variation or proposed revocation of a charging scheme made by them.
- (6) Subsections (3) to (8) of section 210 of the Local Government (Scotland) Act 1973 (c. 65) (witnesses and costs at inquiries) shall apply in relation to any inquiry held by virtue of this section.