



Transport (Scotland) Act 2001

2001 asp 2

PART 3

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.

Changes to legislation: Transport (Scotland) Act 2001, Section 52 is up to date with all changes known to be in force on or before 08 March 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](#)

- (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.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2 Ch. 3 applied in part by [2019 asp 17 s. 47\(1\)\(2\)](#)
- Pt. 2 Ch. 3 inserted by [2019 asp 17 s. 41\(2\)](#)
- Pt. 2 Ch. 4 heading inserted by [2019 asp 17 sch. para. 3\(2\)](#)
- s. 27B and cross-heading inserted by [2019 asp 17 s. 42\(2\)](#)
- s. 29(3A)-(3C) inserted by [2019 asp 17 s. 44\(2\)\(a\)](#)
- s. 29(7)(8) inserted by [2019 asp 17 s. 44\(2\)\(c\)](#)
- s. 30(3)(ca)-(cc) inserted by [2019 asp 17 s. 44\(3\)\(b\)](#)
- s. 31(1A) inserted by [2019 asp 17 s. 44\(4\)\(a\)](#)
- s. 31(3)(ca) inserted by [2019 asp 17 s. 44\(4\)\(b\)\(iii\)](#)
- s. 31(5)-(7) inserted by [2019 asp 17 s. 44\(4\)\(d\)](#)
- s. 32A inserted by [2019 asp 17 s. 45\(2\)](#)
- s. 32B and cross-heading inserted by [2019 asp 17 s. 46\(2\)](#)
- s. 35A inserted by [2019 asp 17 s. 40\(2\)](#)
- s. 39(1)(ca) inserted by [2019 asp 17 s. 40\(3\)](#)
- s. 79(1)(ca) inserted by [2019 asp 17 s. 48\(2\)\(b\)](#)