STATUTORY INSTRUMENTS

1979 No. 761 (S. 68)

CABS

The Hackney Carriage Fares (Amendment of Byelaws) (Scotland) Order 1979

Made - - - -	*28th June* 1979
Laid before Parliament	*5th July* 1979
Coming into Operation	*6th July* 1979

In exercise of the powers conferred on me by section 55 of the Finance Act 1974(a), I hereby make the following order:—

Title and commencement

1. This order may be cited as the Hackney Carriage Fares (Amendment of Byelaws) (Scotland) Order 1979 and shall come into operation on 6th July 1979.

Interpretation

2. In this order:—

"hackney carriage" includes a cab standing or plying for hire in the street;

"taxi fare byelaws" means byelaws fixing charges payable for hackney carriages.

3.—(1) If it appears to a local authority having power to amend any taxi fare byelaws that the charges permitted by such byelaws should be increased with a view to off-setting an addition to the costs of operating hackney carriages which is attributable to any of the variations of tax and duty specified in paragraph (2) below affecting those costs, they may, for that purpose but subject to the provisions of this order, at any time before 31st August 1979 or at their first meeting on or after that date, by resolution amend those byelaws so as to increase those charges.

(2) The variations of tax and duty mentioned in paragraph (1) above are—

(*a*) the increases, with effect from 12th June 1979, in the rates of excise duty on hydrocarbon oils; and

(*b*) the increases, with effect from 18th June 1979, in the rates of value added tax.

4. An increase in charges made in pursuance of this order shall be a surcharge of a single sum, not exceeding 10p, in respect of each hiring and in any amendment of taxi fare byelaws permitting such surcharge there shall be included a provision requiring that a notice setting out the amount of the surcharge be prominently displayed in each hackney carriage in such a manner as to be clearly legible by the hirer throughout the hiring.

(a) 1974 c. 30.

5.—(1) Where a local authority passes a resolution in pursuance of this order they shall cause to be published, in two consecutive weeks in at least one local newspaper circulating in the area to which the taxi fare byelaws apply, a notice setting out the terms of the resolution.

(2) A copy of the resolution shall be deposited at the offices of the local authority and shall at all reasonable hours be open to public inspection without payment, and a copy thereof shall, on application and without payment, be furnished to any person.

(3) A resolution passed in pursuance of this order shall not require confirmation by the Secretary of State.

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.

28th June 1979.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order empowers a local authority to increase taxi fares which are fixed by byelaw, with a view to off-setting higher operating costs attributable to the increases in the rates of excise duty on petrol and diesel oil (as from 12th June 1979) and in the rates of value added tax (as from 18th June 1979). The power is exercisable by resolution at any time before 31st August 1979 or at the first meeting of the local authority on or after that date. Any such resolution would authorise a surcharge of not more than 10p in respect of each hiring and it would provide for a notice relating to the surcharge to be displayed in each hackney carriage. The Order also requires the local authority to take steps to publish the resolution and to make copies available to the public.

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