STATUTORY INSTRUMENTS

1981 No.458 (S.44)

CABS

The Hackney Carriage Fares (Amendment of Byelaws) (Scotland) Order 1981

Made - - - -	19*th March* 1981
Laid before Parliament	23*rd March* 1981
Coming into Operation	1*st April* 1981

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 1981 and shall come into operation on 1st April 1981.

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 the variation of 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 31 May 1981 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 duty mentioned in paragraph (1) above are: –

(*a*) the increases, with effect from 10th March 1981, in the rates of excise duty on hydrocarbon oils; and

(*b*) the increases, with effect from 11th March 1981, in the rates of vehicle excise duty.

4. An increase in charges made in pursuance of this order shall be a surcharge of a single sum, not exceeding 5p, 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 sur-

(a) 1974 c.30.

charge be prominently displayed in each hackney carriage in such a manner as to be clearly legible by the hirer throughout the hiring.

5.—(1) Where a local authority passes a resolution in pursuance of this order they shall cause to be published, in two consecutives 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.
19th March 1981.

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 10th March 1981) and in the rates of vehicle excise duty (as from 11th March 1981).

The power is exercisable by resolution at any time before 31 May 1981 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 5p 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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