



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART II

#### LICENSING AND REGULATION—PARTICULAR ACTIVITIES

##### *Licensing and regulation of taxis and private hire cars*

#### **18 Appeals in respect of taxi fares**

- (1) Any person who operates a taxi in an area for which scales have been fixed or in respect of which a review has been carried out under section 17 of this Act may, within 14 days after the decision upon the scales or, as the case may be, upon the review, appeal against these scales to the traffic commissioners for the Scottish Traffic Area as constituted for the purpose of the Public Passenger Vehicles Act 1981.
- (2) The traffic commissioners may hear an appeal under this section notwithstanding that it was not lodged with them within the time mentioned in subsection (1) above.
- (3) On an appeal to them under subsection (1) above, the traffic commissioners may—
  - (a) confirm or alter the scales ; or
  - (b) may decline to proceed—
    - (i) at any stage in the appeal, on the grounds that they consider the case for the appellant is not representative of the view of a substantial proportion of the operators of taxis operating in the area of the licensing authority;
    - (ii) if less than two years have elapsed since they decided an appeal against a decision of the same authority in respect of the same scale, and they consider it inappropriate that they should consider the matter again.
- (4) An appeal under this section shall have the effect of suspending the decision referred to in subsection (1) above until the date when the appeal is abandoned or, as the case may be, when notice is given to the appellant advising him of its disposal.

---

*Status: This is the original version (as it was originally enacted).*

---

- (5) Where they alter scales under subsection (3) (a) above, the traffic commissioners may substitute a different date for the coming into effect of these scales.
- (6) The Secretary of State may make rules as to procedure in relation to appeals under this section.
- (7) The decision of the traffic commissioners on an appeal under this section shall be final.
- (8) The traffic commissioners shall give notice of their decision in writing to the appellant and to the licensing authority and notice shall be given to the appellant by—
  - (a) its being sent by recorded delivery letter to his last known address or, as the case may be, to them so as to arrive, in the normal course of post, not later than five days after their decision ; or
  - (b) personal service of the notice on the appellant within that time.
- (9) As soon as practicable after the expiration of the period of 14 days referred to in subsection (1) above or, where an appeal has been lodged, on the date when it is abandoned or when notice is given to the appellant of its disposal, the licensing authority shall, by advertisement in a newspaper circulating in their area, give public notice of the scales which have been determined under section 17 of this Act and this section and the date when they come into effect which shall be not earlier than seven days after the date of the advertisement.
- (10) A licensing authority shall pay the expenses incurred under this section by the traffic commissioners in relation to appeals under this section.
- (11) In Part II of Schedule 1 to the Tribunals and Inquiries Act 1971 (tribunals under the supervision of the Scottish Committee of the Council on Tribunals) there shall be inserted at the end the following entry—

“Taxi fares—48. The traffic commissioners for the Scottish Traffic Area as constituted for the purpose of the Public Passenger Vehicles Act 1981 in respect of their functions under section 18 of the Civic Government (Scotland) Act 1982.”