

SCHEDULE 3

VARIATION OF THE CHARGING REGIME IN LINE WITH THE RETAIL PRICE INDEX

3. In this Schedule—

- (1) “the base month” means the month of December; and
- (2) “the revision date” means the day immediately following the end of the period of two months beginning with the 1st day of the base month.

4. On or within the period of twenty-one days following—

- (1) the first revision date after the charging regime in Schedule 2 has been in operation one full year; and
- (2) each succeeding revision date falling within the duration of this Order;

the Secretary of State may make a variation order fixing the amounts of the charges in respect of all classes of vehicles in respect of which charges are leviable.

5. Subject to the following provisions of this Schedule, the amount of the charge to be fixed by the variation order in respect of each class of vehicles shall be an amount arrived at by increasing the amount applicable in the case of that class in Schedule 2 by the same percentage as the percentage increase between the retail prices index for December 2008 and the retail prices index for the base month in relation to the revision date in question.

6. Any amount which falls in accordance with paragraph 3 to be fixed by a variation order under this Schedule—

- (1) if it is neither a multiple of ten nor an amount which on division by ten produces a remainder of five shall be rounded to the nearest ten pence; and
- (2) if it is an amount which on division by ten produces a remainder of five, shall be increased by five pence.

7. Where the amount of any charge which, in accordance with the preceding provision of this Schedule, falls to be fixed by a variation order made under this Schedule in respect of any class of vehicles exceeds that in force under the last previous variation order so made, the new variation order may fix an amount which does not implement the increase or implements it only in part.

8. A variation order made under this Schedule shall come into force on the 1st day of April.

9. The Secretary of State shall give not less than 7 days notice of his intention to implement the variation by publishing a notice thereof in at least one local newspaper circulating in the relevant area and in the London Gazette.

10. References in this Schedule to the retail prices index means the monthly United Kingdom Index of Retail Prices (for all items) published by the Office for National Statistics; and if that index is not published for any month those references shall be read as references to any substitute index or index figures published by that Office for that month.