



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.

[^{F1}(1) Any person mentioned in subsection (1A) may, within 14 days of notice being given under section 17(4C), appeal against those scales to the traffic commissioner for the Scottish Traffic Area as constituted for the purpose of the Public Passenger Vehicles Act 1981.]

[^{F2}(1A) Those persons are—

- (a) any person who operates a taxi in an area for which scales have been fixed under section 17(2), and
 - (b) any person or organisation appearing to the traffic commissioner to be representative of such taxi operators.]
- (2) The traffic [^{F3}commissioner] may hear an appeal under this section notwithstanding that it was not lodged with [^{F4}him] within the time mentioned in subsection (1) above.
- (3) On an appeal ^{F5}... under subsection (1) above, the traffic [^{F3}commissioner] may—
- (a) confirm or alter the scales; or
 - (b) ^{F6}... decline to proceed—
 - (i) at any stage in the appeal, [^{F7}if][^{F8}he considers] 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 [^{F8}he decided] an appeal against a decision of the same authority in respect of the same scale, and [^{F8}he considers] it inappropriate that [^{F8}he should consider] the matter again.

Changes to legislation: Civic Government (Scotland) Act 1982, Section 18 is up to date with all changes known to be in force on or before 06 April 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

- (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.
- (5) Where [^{F9}he alters] scales under subsection (3)(a) above, the traffic [^{F3}commissioner] may substitute a different date for the coming into effect of these scales.
- (6) The Secretary of State may [^{F10}by order made by statutory instrument] make rules as to procedure in relation to appeals under this section.
- (7) The decision of the traffic [^{F3}commissioner] on an appeal under this section shall be final.
- (8) The traffic [^{F3}commissioner] shall give notice of [^{F11}his] 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 [^{F11}his] decision; or
 - (b) personal service of the notice on the appellant within that time.
- ^{F12}(9)
- (10) A licensing authority shall pay the expenses incurred under this section by the traffic commissioners in relation to appeals under this section.
- ^{F13}(11)

Textual Amendments

- F1** S. 18(1) substituted (1.11.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 174(4)(a)**, 206(1); S.S.I. 2011/354, art. 2, sch. (with art. 3)
- F2** S. 18(1A) inserted (1.11.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 174(4)(b)**, 206(1); S.S.I. 2011/354, art. 2, sch. (with art. 3)
- F3** Word substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3, **Sch. 2 Pt. II para. 5(a)**
- F4** Word substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3, **Sch. 2 Pt. II para. 5(b)**
- F5** Words in s. 18(3) repealed (1.11.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 174(4)(c)(i)**, 206(1); S.S.I. 2011/354, art. 2, sch. (with art. 3)
- F6** Word in s. 18(3)(b) repealed (1.11.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 174(4)(c)(ii)**, 206(1); S.S.I. 2011/354, art. 2, sch. (with art. 3)
- F7** Word in s. 18(3)(b)(i) substituted (1.11.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 174(4)(c)(iii)**, 206(1); S.S.I. 2011/354, art. 2, sch. (with art. 3)
- F8** Words substituted as provided by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3, **Sch. 2 para. 5(c)**
- F9** Words substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3, **Sch. 2 para. 5(d)**
- F10** Words inserted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(2), **Sch. 7 para. 23(2)**
- F11** Word substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3, **Sch. 2 Pt. II para. 5(e)**
- F12** S. 18(9) repealed (1.11.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 174(4)(d)**, 206(1); S.S.I. 2011/354, art. 2, sch. (with art. 3)
- F13** S. 18(11) repealed (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53\)](#), ss. 18(2), 19(2), **Sch. 4 PtI**.

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):

- s. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)