

GREATER LONDON AUTHORITY ACT 1999

TRANSPORT ACT 2000

Greater London (Central Zone) Congestion Charging (Variation and Transitional Provisions) (No.2) Order 2010

Made

20 May 2010

Coming into force In accordance with articles 1(2) and 2(2) to (3)

Whereas—

- (1) the Greater London (Central Zone) Congestion Charging Order 2004 (“the Principal Order”) imposes charges for the using and keeping of motor vehicles on specified roads in Greater London during specified hours and on specified days;
- (2) Transport for London has made a number of orders varying the provisions of the Principal Order; and
- (3) it appears to Transport for London expedient, for the purposes of facilitating the achievement of policies and proposals in the Mayor of London’s Transport Strategy published pursuant to section 142 of the Greater London Authority Act 1999(a) by the Mayor of London on 10 May 2010, that it should make an Order for the purpose of further varying the Principal Order:

Now, therefore, Transport for London, in exercise of the powers conferred on it by sections 295 and 420(1) of the Greater London Authority Act 1999, by Schedule 23 to that Act, and of all other powers enabling it in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Greater London (Central Zone) Congestion Charging (Variation and Transitional Provisions) (No. 2) Order 2010.

(2) This Order, other than articles 2, 3, 5, 6, 7, 8(2), 8(4)(c), 11, 12, 13, 17, 18 and 20 of the Schedule, shall come into force on the day following the day on which the Mayor confirms it.

(3) In this Order “the Principal Scheme” means the Scheme contained in the Schedule to the Greater London (Central Zone) Congestion Charging Order 2004 as varied and in force immediately before articles 1, 4, 8(1), 8(3), 8(4)(a), (b) and (d), 8(5), 8(6), 9, 10, 14, 15, 16, 19 and 21 of the Scheme set out in the Schedule to this Order come into force.

Variation of the Principal Scheme

2.—(1) The Scheme set out in the Schedule to this Order (the “Variation Scheme”), which varies the Principal Scheme and contains transitional provisions, shall have effect.

(2) Article 17 of the Variation Scheme shall come into force on 25 December 2010.

(a) 1999 c.29; Schedule 23 was amended by the Transport Act 2000 (c. 38), Schedule 13

(3) Articles 2, 3, 5, 6, 7, 8(2), 8(4)(c), 11, 12, 13, 18 and 20 of the Variation Scheme shall come into force on 4 January 2011.

Signed by authority of Transport for London

20 May 2010

Managing Director, Surface Transport

THE SCHEDULE

Article 2

SCHEME VARYING THE PRINCIPAL SCHEME

Preliminary

1.—(1) Article 1 of the Principal Scheme shall apply, so far as material, for the interpretation of this Scheme as it applies for the interpretation of the Principal Scheme.

(2) The Principal Scheme shall be further varied in accordance with articles 2 to 21 of this Scheme.

Arrangement of Instrument

2.—(1) The Arrangement of Instrument of the Principal Order shall be amended as follows.

(2) Between “6. Payment of charges” and “7. Amount of charge payable by the purchase of a licence” there shall be inserted—

“6A. CC Auto Pay”.

(3) Between “2. Non-chargeable and Reduced Rate Vehicles Etc.” and “1. Motorbicycles, licensed hackney carriages and licensed private hire vehicles” there shall be inserted—

“1. Greener Vehicles”

and for the numbers 1 to 9 in the paragraphs beginning with “1. Motorbicycles, licensed hackney carriages and licensed private hire vehicles” and ending with “9. Vehicles used by firefighters for operational reasons” there shall be substituted the numbers 2 to 10 respectively.

Interpretation

3.—(1) Article 1 of the Principal Scheme shall be amended as follows.

(2) In paragraph (2)(q) for “5, 5A or 6” there shall be substituted “1, 4, 6, 6A or 7”.

(3) In paragraph (2)(w) “and” shall be omitted.

(4) In paragraph (2)(xa) for “.” there shall be substituted “;”

(5) After paragraph (2)(xa) there shall be inserted—

“(y) “type approved” shall be construed in accordance with article 2 of Council Directive 70/156/EEC; and

(z) “Type I test” means a test as described in section 5.3 of Annex I to Council Directive 70/220/EEC (test for simulating/verifying the average tailpipe emissions after a cold start) and carried out using the procedure described in Annex III of that Directive.”.

(6) Paragraph (3) shall be renumbered as paragraph (4).

(7) Immediately after paragraph (2)(z) as inserted for “(2)” there shall be substituted “(3)”.

Imposition of charges

4. Article 4(5) of the Principal Scheme shall be omitted.

Payment of charges

5.—(1) Article 6 of the Principal Scheme shall be amended as follows.

- (2) For paragraph (1) there shall be substituted—
- “(1) A charge imposed by this Scheme shall be paid by the purchase of a licence from Transport for London in accordance with the provisions of this article and except where paragraphs (9) and (10) or (11), or article 6A, apply, a licence shall be issued for a specified period falling on, or beginning with, a specified date.”.
- (3) In paragraph (2) for sub-paragraph (b) there shall be substituted—
- “(b) under article 9 for particulars of a vehicle to be entered in the register or for the renewal of a vehicle’s registration;”.
- (4) In paragraph (5)(b) after “purchased” there shall be inserted—
- “by CC Auto Pay in accordance with article 6A or, other than by CC Auto Pay,”.
- (5) In paragraph (5)(c) after “paragraph 3” there shall be inserted “(2)(b)”.
- (6) For paragraph (6) there shall be substituted—
- “(6) Charges imposed by this Scheme shall be paid as set out in sub-paragraphs (a) to (h) below or by such other means as Transport for London may in the particular circumstances of the case accept:
- (a) a charge for a daily licence—
 - (i) specified in article 7(1) (charge paid by CC Auto Pay), by CC Auto Pay only;
 - (ii) specified in article 7(2) (charge paid on or before the charging day concerned), by post, call centre, on-line, retail outlet or, if paid on the day of travel, text message;
 - (iii) specified in article 7(3) (charge paid after the charging day concerned but on or before the next consecutive charging day), by call centre or on-line;
 - (b) a charge for a licence for 5, 20 or 252 consecutive charging days as set out in article 6(3), by post, call centre, on-line or retail outlet;
 - (c) charges payable by fleet operators—
 - (i) as specified in article 6(12)(a) (charge for a daily licence), by direct debit;
 - (ii) as specified in article 6(12)(c) (additional annual charge per vehicle), by direct debit;
 - (d) a charge accompanying an application to enter particulars of a vehicle on the register under article 9—
 - (i) in relation to a vehicle falling within paragraph 1 or (7)(1) of Annex 2, by post or call centre;
 - (ii) in relation to a vehicle falling within paragraph 4 or 6A of Annex 2, by post;
 - (e) a charge accompanying an application to renew the registration of a vehicle under article 9—
 - (i) in relation to a vehicle falling within paragraph 1, 4 or 6A of Annex 2, by post;
 - (ii) in relation to a vehicle falling within paragraph 7(1) of Annex 2, by post or call centre;
 - (f) a charge accompanying an application for the amendment of a licence under article 11, by post, call centre or online;

(g) a charge in respect of a vehicle falling within paragraph 6 of Annex 2 (disabled persons' vehicles) as specified in paragraph 6(6)(a) of that Annex, by post;

(h) a charge in respect of a resident's vehicle—

(i) as set out in paragraph 3(2)(a) of Annex 3 (licence for a single charging day), by CC Auto Pay;

(ii) relating to a licence for 5 consecutive charging days as set out in paragraph 3(2)(b)(i) of Annex 3, by post, call centre, on-line, retail outlet or text message;

(iii) relating to a licence for 20 consecutive charging days as set out in paragraph 3(2)(b)(i) of Annex 3, by post, call centre, on-line or retail outlet;

(iv) as set out in paragraph 3(2)(b)(ii) of Annex 3 (licence for a period of consecutive charging days expiring on last charging day of registration period of vehicle), by post, call centre, on-line or retail outlet;

(v) as specified in paragraph 6(2)(c) of Annex 3 (charge for certificate of residence) by post.”.

(7) In paragraph (7)—

(a) Sub-paragraphs (a) to (g) shall be renumbered as paragraphs (b) to (h) respectively.

(b) Before sub-paragraph (b) as renumbered there shall be inserted—

“(a) a charge is paid by CC Auto Pay if it is paid in accordance with the provisions of article 6A;”.

(c) For sub-paragraph (h) as renumbered there shall be substituted—

“(h) credit or debit card” means any credit or debit card the name of which is for the time being published by Transport for London on its congestion charging web site as being acceptable to it.”.

(8) In paragraphs (9) and (11) for “(1)(b)” there shall be substituted “(1)”.

(9) In paragraph (12)(a)—

(a) for “— ” there shall be substituted “£9;” and

(b) sub-paragraphs (i) and (ii) shall be omitted.

(10) In sub-paragraph (12)(b)—

(a) after “paragraph (11)” the word “unless” shall be omitted;

(b) before “it is” there shall be inserted “unless”;

(c) for “; and” there shall be substituted—

“and the minimum number of motor vehicles is so specified in relation to that business; or”;
and

(d) for sub-paragraph (ii) there shall be substituted—

“(ii) if the vehicle is a specified vehicle under article 6A.”

(11) In paragraph (12)(c)—

(a) after “additional” there shall be inserted “annual”;

(b) for “relevant” there shall be substituted “motor”; and

(c) the words from and including “except that” to “Annex 2” shall be omitted.

(12) In paragraph (13)—

(a) in sub-paragraphs (a)(i) and (a)(ii) for “relevant” there shall be substituted “motor”;

(b) in sub-paragraph (a)(ii) after “person;” there shall be inserted “and”;

- (c) in sub-paragraph (b) for “25 or more” there shall be substituted “6 or more.”; and
- (d) the words from and including “, in the case of” to the end of the paragraph shall be omitted.

CC Auto Pay

6. Before article 7 of the Principal Scheme there shall be inserted—

“CC Auto Pay

6A.—(1) A charge is paid by CC Auto Pay where the conditions set out in paragraph (2) are met.

(2) The conditions referred to in paragraph (1) are:

- (a) that the charge concerned relates to a CC Auto Pay Account that has been registered with Transport for London;
- (b) that the CC Auto Pay Account concerned has not been suspended or cancelled under paragraph (9);
- (c) that the relevant vehicle concerned was on the charging day concerned a specified vehicle in relation to the CC Auto Pay Account concerned; and
- (d) that on the billing day payment in relation to the CC Auto Pay Account concerned is made to Transport for London in accordance with paragraph (8).

(3) An application for registration for a CC Auto Pay Account—

- (a) may only be made by a person of 18 years of age or over at the date of that application;
- (b) shall include details of the credit or debit card from which Transport for London may take payment for charges under paragraphs (7) and (8);
- (c) shall be made by such means as Transport for London may accept;
- (d) shall include all such other information as Transport for London may reasonably require,

and Transport for London may refuse such an application where the applicant has previously registered for a CC Auto Pay Account that has subsequently been suspended or cancelled under paragraph (9) or in such other circumstances as Transport for London may determine.

(4) A vehicle is a specified vehicle under paragraph (2)(c) if particulars of the vehicle are entered on the register of specified CC Auto Pay vehicles.

(5) An application to enter particulars of a vehicle or vehicles on the register of specified CC Auto Pay vehicles—

- (a) shall identify the CC Auto Pay Account in relation to which the vehicle or vehicles are to be registered;
- (b) shall include all such other information as Transport for London may reasonably require;
- (c) shall be made by such means as Transport for London may accept; and
- (d) shall be accompanied by a charge of £10 per vehicle in respect of which registration is sought,

provided that the maximum number of specified vehicles registered in relation to any CC Auto Pay Account shall be five, or such other number as Transport for London may determine and publish on its congestion charging web site.

(6) No vehicle may be a specified vehicle in relation to more than one CC Auto Pay Account and no vehicle that is specified as mentioned in article 6(11) shall be a specified vehicle under this article.

(7) In respect of each specified vehicle a charge of £10 shall be incurred annually on the anniversary of the date of entry of particulars of that specified vehicle in the register of specified CC Auto Pay vehicles.

(8) Transport for London shall on the billing day take the automatic payment from the credit or debit card specified under paragraph (3)(b) or such other credit or debit card as Transport for London may in the particular circumstances of the case accept.

(9) Where payment under paragraph (8) is declined for any reason—

(a) Transport for London may accept payment by any other means it considers suitable in the particular circumstances of the case; and

(b) where all outstanding charges under paragraph (8) are not paid within such period as Transport for London may specify Transport for London may suspend or cancel the CC Auto Pay Account to which those charges relate.

(10) In this article—

(a) the “automatic payment” means in respect of each CC Auto Pay Account a payment comprising the costs of—

(i) the purchase of a licence for each charge imposed under article 4 in respect of each specified vehicle that is a relevant vehicle registered to that CC Auto Pay Account; and

(ii) each charge under paragraph (7),

that have been incurred and that Transport for London has identified as being payable during the billing period immediately preceding the billing period within which the billing day concerned falls;

(b) “billing day” in respect of any billing period means a day falling no earlier than 5 working days after the last day of that billing period or such other day as Transport for London may in the particular circumstances of the case determine on which Transport for London shall take the automatic payment under paragraph (8);

(c) “billing period” in relation to a CC Auto Pay Account means a period of one month or such other period as Transport for London may determine and specify on its congestion charging web site in each case beginning with the day on which Transport for London accepts an application for the registration of a CC Auto Pay Account or such other day as Transport for London may in the particular circumstances of the case accept;

(d) “CC Auto Pay Account” means an agreement entered into with Transport for London for the purposes of paying charges imposed under article 4 by the purchase of licences in arrears by recurring credit or debit card payment;

(e) “credit or debit card” means any credit or debit card the name of which is for the time being published by Transport for London on its congestion charging web site as being acceptable to it for the purpose of payment by CC Auto Pay; and

(f) “register of specified CC Auto Pay vehicles” means a register maintained by Transport for London of those vehicles in respect of which a successful application for registration has been made under paragraph (5).

(11) A CC Auto Pay Account shall be subject to such terms as Transport for London shall determine, provided that it does not conflict with the provisions of this article.”.

Amount of charge payable by the purchase of a licence

7. For article 7 of the Principal Scheme there shall be substituted—

“7.—(1) The charge for a licence where the charge is paid by CC Auto Pay shall be £9 per charging day.

(2) The charge for a licence where the charge is paid other than by CC Auto Pay on or before the charging day concerned or, in the case of a licence for a period of charging days, on or before the first charging day of the period concerned, shall be £10 per charging day.

(3) The charge for a licence where the charge is paid other than by CC Auto Pay after the charging day concerned but on or before the next charging day shall be £12 per charging day.

(4) The provisions of this article are without prejudice to those of article 6(12) (fleet vehicles) and of paragraph 3 of Annex 3 (charges for residents' vehicles).”.

The register of non-chargeable, reduced rate and resident’s vehicles

8.—(1) Article 9 of the Principal Scheme shall be amended as follows.

(2) In paragraph (2)(a) and (2)(c) for “5” there shall be substituted “6”.

(3) In paragraph (3)—

(a) sub-paragraphs (c) and (d) shall be renumbered as sub-paragraphs (d) and (e) respectively; and

(b) after sub-paragraph (b) there shall be inserted—

“(c) shall, in the case of a reduced rate vehicle, be accompanied by a charge of £10;”.

(4) In paragraph (5)—

(a) sub-paragraph (a) shall be omitted;

(b) sub-paragraph (b) shall be renumbered as sub-paragraph (a);

(c) in sub-paragraph (a)(ii) as renumbered for “5(11)” there shall be substituted “6”; and

(d) in sub paragraph (a)(iii) as renumbered for “keeper.” there shall be substituted—

“keeper

of its intention to remove the particulars of the vehicle from the register; and

(b) thereafter remove the particulars of the vehicle from the register.”.

(5) Paragraph (9) shall be renumbered as paragraph (10).

(6) Before paragraph (10) as renumbered there shall be inserted—

“(9) Where purported payment of a charge under sub-paragraph (3)(c) is made otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise) an application to enter a vehicle on the register or renew the registration of a vehicle shall not be valid and particulars of the vehicle shall be removed from the register.”.

Refunds of charges

9.—(1) Article 10 of the Principal Scheme shall be amended as follows.

(2) In paragraph (1) before “20” there shall be inserted “5, ”.

(3) In paragraph (2)—

(a) before “by post” there shall be inserted “on-line, by telephone or”; and

(b) the words from and including “at the address” to the end of the paragraph shall be substituted with

“and,

(a) in the case of a licence for a period of 5 charging days—

- (i) may not be made in relation to a licence for a resident's vehicle;
- (ii) may only relate to a refund for the whole of that period;
- (iii) must, in the case of an application made by telephone, be made on or before the charging day immediately preceding the first charging day to which the licence relates;
- (iv) must, in the case of an application by post or on-line, be received by Transport for London no later than 6 consecutive charging days before the first charging day to which the licence relates;

(b) must, in the case of an application made on-line in respect of a licence for a period of 20 or 252 charging days, relate to a refund for the whole of that period and be made no later than 6 consecutive charging days before the first charging day to which the licence relates.”.

(4) In paragraph (3)—

- (a) in sub-paragraph (a) before “one” there shall be inserted “in the case of an application by post,”;
- (b) in sub-paragraph (a)(i) after “receipt” there shall be inserted “for the licence concerned (“the receipt”)”;
- (c) in sub-paragraph (a)(ii) after “receipt,” there shall be inserted “or”;
- (d) in sub-paragraph (a)(iii) “or” shall be omitted;
- (e) sub-paragraph (a)(iv) shall be omitted;
- (f) sub-paragraph (b) shall be renumbered as sub-paragraph (c);
- (g) in sub-paragraph (c) as renumbered before “a statement” there shall be inserted “in the case of an application made by post or telephone in relation to a licence for a period of 20 or 252 days,”; and
- (h) before sub-paragraph (c) as renumbered there shall be inserted—
“(b) in the case of an application made on-line or by telephone, a statement of the number of the receipt; and”.

(5) For paragraph (4) there shall be substituted—

“(4) The amount of the refund for a charge shall be—

- (a) in the case of a licence for a period of 5 days, the charge paid for the licence, less £10; and
- (b) in the case of a licence for a period of 20 or 252 days, the product of the number of unexpired charging days multiplied by the charge paid per day, less £10.”.

(6) In paragraph (5) for after “(4)” there shall be inserted “(b)”.

(7) In paragraph (6)—

- (a) in sub-paragraph (a) for “(3)(b)” there shall be substituted “(3)(c)”;
- (b) in sub-paragraph (b) before “the last day” there shall be inserted “in the case of an application for a refund made by post,”; and for “received.” there shall be substituted—
“received; or
- (c) in the case of an application for a refund made by telephone, the next consecutive charging day after the day on which the application is made.”.

Amendment of licences

10.—(1) Article 11 of the Principal Scheme shall be amended as follows.

- (2) In paragraph (1) the words “(other than a licence for one day)” shall be omitted.
- (3) In sub-paragraph (3)(a) for “either” there shall be substituted “on-line,”
- (4) In paragraph (4)—
 - (a) for “(1)(a)” there shall be substituted “(1)”;
 - (b) after “falls” the word “before” shall be omitted;
 - (c) for sub-paragraph (a) there shall be substituted—
 - “in the case of a telephone application under sub-paragraph (1)(a), on or before the day for which the licence was originally purchased or, in the case of a licence for a period of days, the first day of the period for which the licence was originally purchased; or”; and
 - (d) in sub-paragraph (b) for “postal application” there shall be substituted—
 - “postal or on-line application under sub-paragraph (1)(a) or an on-line application under sub-paragraph (1)(b)”.
- (5) In sub-paragraphs (5)(a)(i) and (6)(a) after “postal” there shall be inserted “on-line”.

Renumbering of Annex 2

11. Paragraphs 1 to 9 of Annex 2 of the Principal Scheme shall be renumbered as paragraphs 2 to 10 respectively.

Greener vehicles discount

12. Before paragraph 2 of Annex 2 of the Principal Scheme as renumbered there shall be inserted—

“Greener Vehicles

1.—(1) A greener vehicle is a reduced rate vehicle if the condition specified in sub-paragraph (3) is met.

(2) A vehicle is a greener vehicle if—

- (a) it is a light passenger vehicle within the meaning of sub-paragraph (4)(c);
- (b) it is registered in the GB or NI records on the basis of a UK approval certificate or, in the case of a vehicle registered in a country other than the United Kingdom, in the appropriate records of that country on the basis of an EC certificate of conformity or equivalent certificate issued by the appropriate national approval authority, that specifies an applicable CO₂ emissions figure for that vehicle of 100 grams per kilometre or less; and

(c) it was—

- (i) type approved either on or after 1 September 2009; or
- (ii) type approved before 1 September 2009 and is certified by the appropriate national approval authority as having been manufactured to satisfy Euro 5 emissions standards when applying the Type I test; or
- (iii) purchased as new on or after 1 January 2011 and first registered in the GB or NI records, or in the case of a vehicle registered in a country other than the United Kingdom in the appropriate records of that country, on or after that date.

(3) The condition referred to in sub-paragraph (1) is that particulars of the vehicle are entered in the register in accordance with article 9 of this Scheme.

(4) In this article—

- (a) “applicable CO₂ emissions figure” means—

- (i) where the UK approval certificate, EC certificate of conformity or equivalent certificate issued by the appropriate national approval authority specifies only one CO₂ emissions figure, that figure;
 - (ii) where it specifies more than one such figure, the figure specified as the CO₂ emissions (combined) figure; or
 - (iii) where it specifies separate CO₂ emissions figures in terms of grams per kilometre driven for different fuels, the lowest figure specified or, in a case falling within paragraph (ii), the lowest CO₂ emissions (combined) figure specified;
- (b) “Euro 5 emissions standards” means the emissions limit values set out in the rows corresponding with Category M in Table 1 of Annex I to Regulation (EC) no. 715/2007;
- (c) “light passenger vehicle” means a vehicle type approved as a class M₁ vehicle (vehicle with at least four wheels used for carriage of passengers and comprising no more than 8 seats in addition to the driver’s seat) within the meaning of Annex II of Council Directive 2007/46/EC other than a motor caravan, ambulance or hearse;
- (d) “motor caravan”, “ambulance” and “hearse” have the meaning given in Annex II.A of Council Directive 70/156/EEC.”.

Large passenger vehicles

13.—(1) Paragraph 4 of Annex 2 of the Principal Scheme as renumbered shall be amended as follows.

(2) In sub-paragraph (2) for “non-chargeable” there shall be substituted “reduced rate”.

(3) In sub-paragraph (3) after “register” there shall be inserted “in accordance with article 9 of this Scheme”.

Vehicles used in the provision of particular public services

14.—(1) Paragraph 4 of Annex 2 of the Principal Scheme shall be amended as follows.

(2) In sub-paragraph (2)(a) for “or ambulance” there shall be substituted “, ambulance or national security”.

(3) For sub-paragraph (5) there shall be substituted—

“(5) Any vehicle which belongs to any of Her Majesty’s forces or is in use for the purposes of any of those forces is a non-chargeable vehicle provided the condition in sub-paragraph (3)(b) is met.”.

Disabled persons’ vehicles

15.—(1) In sub-paragraph (6)(b) of paragraph 5 of Annex 2 of the Principal Scheme the words “or in the case of an individual, of a parking card” shall be omitted.

Motortricycles

16.—(1) Paragraph 5A of Annex 2 of the Principal Scheme shall be amended as follows.

(2) In sub-paragraph (2)(a) after “(1);” there shall be inserted “and”.

(3) In sub paragraph (2)(b) for “; and” there shall be substituted “in accordance with article 9 of this Scheme.”.

(4) Sub-paragraphs (2)(c) and (3) shall be omitted.

Alternative fuel discount

17.—(1) Paragraph 6 of Annex 2 of the Principal Scheme shall be amended as follows.

(2) In sub-paragraph (1)—

(a) for “conditions” there shall be substituted “condition” and for “are” there shall be substituted “is”; and

(b) sub-paragraph (c) shall be omitted.

(3) For sub-paragraph (2) there shall be substituted—

“(2) The condition referred to in sub-paragraph (1) is that particulars of the vehicle are entered in the register in accordance with article 9 of this Scheme.”.

(4) Sub-paragraphs (3), (4)(d) to (g), (5) and (6) shall be omitted.

(5) Sub-paragraph (4) shall be renumbered as sub-paragraph (3) and sub-paragraph (4)(h) shall be renumbered as sub-paragraph (3)(d).

(6) In sub-paragraph (3)(c) as renumbered after “EEA State;” there shall be inserted “and”.

Plug-in hybrid electric vehicles

18.—(1) Paragraph 7 of Annex 2 of the Principal Scheme as renumbered shall be amended as follows.

(2) After sub-paragraph (1)(b) there shall be inserted —

“(c) a plug-in hybrid electric vehicle.”.

(3) After sub-paragraph (3) as renumbered there shall be inserted—

“(4) A “plug-in hybrid electric vehicle” is a vehicle—

(a) that is registered in the GB or NI records on the basis of a UK approval certificate or, in the case of a vehicle registered in a country other than the United Kingdom, in the appropriate records of that country on the basis of an EC certificate of conformity or equivalent certificate issued by the appropriate national approval authority, that specifies an applicable CO₂ emissions figure for that vehicle of 75 grams per kilometre or less; and

(b) that Transport for London is satisfied—

(i) operates wholly or partly by means of an electrically powered propulsion system that draws motive power from a battery that can be fully recharged from an external source of electricity;

(ii) has a maximum speed in excess of 60 miles per hour; and

(iii) is capable under normal operating conditions of travelling 10 miles or more using electrical power only.

(5) In sub-paragraph (4) “applicable CO₂ emissions figure” has the meaning given in paragraph 1(4)(a) of Annex 2.”.

Vehicles used by certain NHS employees

19.—(1) Paragraph 7 of Annex 2 of the Principal Scheme shall be amended as follows.

(2) In sub-paragraph (4)(e)(i) for “28Q(5) of the National Health Service Act 1977” there shall be substituted “86 of the National Health Service Act 2006” and in the relevant footnote for “1977 c. 49” there shall be substituted “2006 c. 41”.

(3) In sub-paragraph (4)(e)(iv) for “16CC(2) of the National Health Service Act 1977” there shall be substituted “18 of the National Health Service Act 2006” and in the relevant footnote for “1977 c. 49” there shall be substituted “2006 c. 41”.

Residents’ vehicles

20.—(1) Annex 3 of the Principal Scheme shall be amended as follows.

(2) In sub-paragraph 3(1) the words “who is a qualified resident in relation to a residents’ vehicle” shall be omitted and for “that vehicle” there shall be substituted “a resident’s vehicle”.

(3) For sub-paragraph 3(2) there shall be substituted—

“(2) A licence may be purchased under this paragraph—

(a) by an individual for a single charging day falling on or before the last day of the registration period for the vehicle provided that the charge is paid by CC Auto Pay in accordance with article 6A;

(b) by an individual who is a qualified resident in relation to the vehicle—

(i) for a period of 5 or 20 consecutive charging days, provided that in either case the last day of the period does not fall after the last day of the registration period for the vehicle; or

(ii) for a period of consecutive charging days expiring on the last charging day of the registration period for the vehicle.”.

(4) For sub-paragraph 3(3) there shall be substituted—

“(3) The charge for a licence for a resident’s vehicle purchased under this paragraph shall be—

(a) where the charge is paid by CC Auto Pay, £0.90 per charging day; or

(b) where the charge is paid otherwise than by CC Auto Pay—

(i) for a period of 5 consecutive charging days, £5;

(ii) for a period of 20 consecutive charging days, £20; and

(iii) for a period of consecutive charging days expiring on the last charging day of the registration period for the vehicle, £1 per charging day.”.

(5) Immediately after sub-paragraph 5(1)(b) for “(a)” there shall be substituted “(c)”.

Transitional provisions

21.The Annex to this Scheme, which sets out transitional provisions, shall have effect.

TRANSITIONAL PROVISIONS

Eligibility for alternative fuel discount

1.—(1) During the alternative fuel transitional period Transport for London shall treat any qualifying alternative fuel vehicle as if it were a reduced rate vehicle.

(2) In this paragraph—

- (a) “alternative fuel transitional period” means the period beginning with 25 December 2010 and ending on 24 December 2012; and
- (b) “qualifying alternative fuel vehicle” means any vehicle that meets the conditions specified in sub-paragraph (3).

(3) The conditions referred to in sub-paragraph (2)(b) are—

- (a) that the vehicle is an alternative fuel vehicle within the meaning of paragraph 6 of Annex 2 of the Principal Scheme as it was in force immediately before the coming into force of Article 17 of the Variation Scheme;
- (b) that particulars of the vehicle appeared in the register immediately before the coming into force of Article 17 of the Variation Scheme; and
- (c) the registered keeper of the vehicle is the same as it was immediately before the coming into force of Article 17 of the Variation Scheme.

Refunds in respect of licences purchased before 4 January 2010

2.—(1) Notwithstanding the provisions of article 10(4) of the Principal Scheme as varied by the Variation Scheme, in respect of any licence for a period of 20 or 252 consecutive charging days purchased prior to 4 January 2010—

- (a) the amount of any refund shall be determined in accordance with paragraph (2); and
- (b) in all other respects an application for a refund shall be made in accordance with article 10 of the Principal Scheme as varied by the Variation Scheme.

(2) In the circumstances specified in paragraph (1) the amount of the refund for a charge specified in a provision appearing in column (2) of an item in the table is the product of the number of unexpired charging days multiplied by the sum specified in column (3) of that item, less £10.

Table

<i>(1)</i> <i>Item No.</i>	<i>(2)</i> <i>Provision</i>	<i>(3)</i> <i>Multiplier £</i>
1.	Article 7(1) table item 4	6.80
2.	Article 7(1) table item 5	6.73
3.	Annex 3, paragraph 3(3) table item 2 or 3	.80

(3) In this paragraph—

- (a) references to provisions in column (2) of the table are to those provisions in the Principal Scheme as it was in force immediately before the coming into force of the Variation Scheme;
and
- (b) references to unexpired charging days shall be construed in accordance with article 10(5) and 10(6) of the Principal Scheme as varied by the Variation Scheme.