



Transport (Scotland) Act 2019

2019 asp 17

PART 3

BUS SERVICES

Information relating to services

40 Provision of information about bus services

- (1) The Transport (Scotland) Act 2001 is amended as follows.
- (2) After section 35 insert—

“35A Power to require information about local services

- (1) The Scottish Ministers may by regulations require—
 - (a) persons who are applying for the registration of a local service or for the variation or cancellation of a registration of a local service to provide prescribed information in relation to the service,
 - (b) operators of a registered local service to provide prescribed information in relation to the service,
 - (c) local transport authorities to provide prescribed information in relation to local services that have one or more stopping places in their areas,
 - (d) the traffic commissioner to provide any prescribed information held by the commissioner in relation to local services.
- (2) The information that may be prescribed is such information falling within subsection (3) as appears to the Scottish Ministers to be required in order to make information about local services available for disclosure to users or prospective users of those services.
- (3) Information falls within this subsection if it is information about—
 - (a) routes, stopping places, timetables, fares and tickets,
 - (b) changes or proposed changes to routes, stopping places, timetables, fares and tickets,

Status: This is the original version (as it was originally enacted).

- (c) the operation of services including—
 - (i) real time information about the location of vehicles operating the services and the times at which they stop, or are expected to stop, at stopping places, and
 - (ii) information about the operation of services in the past.
- (4) Regulations made under subsection (1) may make provision about—
 - (a) the person to whom the information is to be provided,
 - (b) the time when it is to be provided, and
 - (c) the manner and form in which it is to be provided, including, in particular, provision—
 - (i) requiring it to be provided electronically,
 - (ii) requiring such electronic provision to accord with a prescribed standard.
- (5) The provision made in pursuance of subsection (4)(a) may not require the information to be provided to a person other than—
 - (a) the Scottish Ministers,
 - (b) a local transport authority,
 - (c) the Secretary of State,
 - (d) a prescribed person, being a person who provides or facilitates the provision of, or is to provide or facilitate the provision of, information about local services to users or prospective users of those services.
- (6) The regulations may provide that a reference in the regulations to a standard according to which the information is to be provided is to be construed as a reference to that standard as it has effect from time to time.
- (7) The regulations may make provision as to the use and disclosure of the information, including, in particular, provision for the information to be made available free of charge and without restrictions on its use and disclosure.
- (8) Before laying a draft of a Scottish statutory instrument containing regulations under this section, the Scottish Ministers must consult—
 - (a) such persons or organisations as the Scottish Ministers consider to be representative of the interests of—
 - (i) operators of local services,
 - (ii) users of local services,
 - (iii) local transport authorities,
 - (b) the Competition and Markets Authority,
 - (c) such other persons as the Scottish Ministers think fit.
- (9) In this section—
 - (a) “prescribed” means prescribed in the regulations, and
 - (b) a reference to registration, in relation to a local service, is a reference to registration under section 6 of the 1985 Act.”.
- (3) In section 39(1) (penalties), after paragraph (c) insert—
 - “(ca) failed to comply with a requirement imposed by regulations made under section 35A(1)(a) or (b),”.

- (4) In section 81(4)(b) (regulations subject to the affirmative procedure), for “41(1)” substitute “35A(1)”.