Transport (Scotland) Act 2001

2001 asp 2

PART 4

MISCELLANEOUS

Travel concession schemes

68 Travel concession schemes

(1) The Scottish Ministers may by order require such local transport authority as may be specified in the order, or two or more such authorities acting jointly, to make a scheme covering such area as may be specified in the order for the provision of travel concessions to eligible persons travelling on eligible services on eligible journeys (any such scheme being referred to in this section as a "travelconcession scheme").

(2) Any area specified in an order under subsection (1) above shall be the whole or any part of the area, or combined area, of the authority, or authorities, so specified.

(3) An order imposing a requirement on an authority, or two or more authorities, under subsection (1) above may include such provision as respects any scheme established by that authority, or those authorities, under section 93 of the 1985 Act, which covers the whole or part of the area specified in such order as the Scottish Ministers consider necessary or expedient in consequence of such order.

(4) A travel concession scheme made by virtue of subsection (1) above shall include such provision—

(a) as respects the rate of travel concession;

(b) as respects the days and times during which travel concessions shall be provided;

(c) requiring the authority, or authorities, to reimburse operators of eligible services for providing travel concessions under the scheme;

(d) as respects the enforcement of the scheme; and

(e) as respects such other matters relating to the content and operation of the scheme,

as may be specified in the order under that subsection.

Changes to legislation: *Transport (Scotland) Act 2001, Cross Heading: Travel concession schemes is up to date with all changes known to be in force on or before 08 August 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*

(5) A requirement such as is mentioned in paragraph (c) of subsection (4) above may, in particular, make provision—

(a) with respect to the determination by the authority, or authorities, of the amounts to be paid by them to individual operators, or to any class of operators, by way of reimbursement;

(b) as to the manner of making any payments due to operators by way of reimbursement;

(c) about the terms on which, and the extent to which, the authority, or authorities, may employ any person as their agent for the purpose of making payments due to operators by way of reimbursement and the descriptions of persons who may be so employed; and

(d) as to the publication and notification by authorities of proposed arrangements, or proposed variations of arrangements, in respect of reimbursement.

(6) An operator of eligible services who systematically fails to comply with an obligation imposed by a travel concession scheme on the operator for the provision of travel concessions under the scheme shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(7) In this section—

"eligible journey", in relation to a travel concession scheme, means a journey—

(a) between places in the area covered by the scheme;

(b) between such places and places outwith, but in the vicinity of, that area; or

(c) between places outwith, but in the vicinity of, that area;

"eligible person", in relation to a travel concession scheme, means a person who resides in the area covered by the scheme and—

(a) **[**[F1]has attained the age of 60 years;**]**

(b) suffers from a disability, or injury, of such description as the Scottish Ministers may by order specify; or

(c) is of such other description as the Scottish Ministers may by order specify;

"eligible service" means—

(a) a service, of a class specified in an order made by the Scottish Ministers, using a public service vehicle (within the meaning of the Public Passenger Vehicles Act 1981 (c.14));

(b) a transport service by water which carries passengers and operates regularly between two or more points both or all of which are in Scotland; and

(c) a service of such other description as the Scottish Ministers may by order specify; and

"travel concession", in relation to a journey, means—

(a) reduction of the fare (within the meaning of that Act of 1981) for the journey below the amount applicable to an adult who is not entitled to any reduction; or

(b) waiver of such fare.

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Textual Amendments

F1 Words in s. 68(7) substituted (1.4.2003) by Local Government in Scotland Act 2003 (asp 1), **ss. 44(2)**, 62(2); S.S.I. 2003/134, art. 2(1), Sch.

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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):

- Pt. 2 Ch. 3 applied in part by 2019 asp 17 s. 47(1)(2)
- Pt. 2 Ch. 3 inserted by 2019 asp 17 s. 41(2)
- Pt. 2 Ch. 4 heading inserted by 2019 asp 17 sch. para. 3(2)
- s. 27B and cross-heading inserted by 2019 asp 17 s. 42(2)
- s. 29(3A)-(3C) inserted by 2019 asp 17 s. 44(2)(a)
- s. 29(7)(8) inserted by 2019 asp 17 s. 44(2)(c)
- s. 30(3)(ca)-(cc) inserted by 2019 asp 17 s. 44(3)(b)
- s. 31(1A) inserted by 2019 asp 17 s. 44(4)(a)
- s. 31(3)(ca) inserted by 2019 asp 17 s. 44(4)(b)(iii)
- s. 31(5)-(7) inserted by 2019 asp 17 s. 44(4)(d)
- s. 32A inserted by 2019 asp 17 s. 45(2)
- s. 32B and cross-heading inserted by 2019 asp 17 s. 46(2)
- s. 35A inserted by 2019 asp 17 s. 40(2)
- s. 39(1)(ca) inserted by 2019 asp 17 s. 40(3)
- s. 79(1)(ca) inserted by 2019 asp 17 s. 48(2)(b)