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**Changes to legislation:** Transport Act 1985, Paragraph 23 is up to date with all changes known to be in force on or before 12 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

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## SCHEDULES

### SCHEDULE 6

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### *Travel concessions*

- 23 (1) Notwithstanding the repeal by this Act of the Travel Concessions Acts 1955 and 1964, section 138 of the 1968 Act and section 1(1) of the<sup>M1</sup>Concessionary Travel for Handicapped Persons (Scotland) Act 1980, but subject to the following provisions of this paragraph—
- (a) the Acts of 1955 and 1964 and section 1(1) of the Act of 1980 shall continue to have effect in relation to any council of any description within section 66(1) of this Act who—
    - (i) at the time when section 66 comes into force are providing a service for the carriage of passengers by road which requires a PSV operator’s licence; and
    - (ii) immediately before the date on which that repeal comes into force are granting travel concessions under arrangements made under the Acts of 1955 and 1964 or (as the case may be) under section 1(1) of the Act of 1980 to persons travelling on any such service operated by them;so long as the council retain their bus operating powers and continue to provide that service; and
  - (b) section 138(2) of the 1968 Act shall continue to have effect for the purpose of authorising any local authority who immediately before that date are contributing to the cost incurred by that council in granting those concessions to continue to do so.
- (2) Subject to the following provisions of this paragraph, where in the case of any such council—
- (a) any such arrangements (“the former arrangements”) are in force immediately before the date on which any scheme or order under Part IV of this Act providing for the transfer to any company or companies of property, rights and liabilities comprised in that council’s bus undertaking comes into force; and
  - (b) that council retain their bus operating powers during any period after that date;
- the council may reimburse the cost incurred by any company to which any public service vehicles formerly used or appropriated for use for the purposes of the council’s bus undertaking are transferred under the scheme or order in granting travel concessions at any time during that period in accordance with arrangements made with that company (“the new arrangements”) which meet the requirements of sub-paragraph (3) below.

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- (3) Subject to the following provisions of this paragraph, the travel concessions to be granted under the new arrangements—
- (a) shall correspond to the travel concessions available under the former arrangements; and
  - (b) shall be available in respect of journeys on public service vehicles transferred to the company in question under the scheme or order and used in operating services on routes to which the former arrangements applied.
- (4) In any case to which sub-paragraph (2) above applies any local authority who immediately before the date on which the scheme or order in question comes into force are contributing to the cost incurred by the council in question in granting travel concessions under the former arrangements may contribute to any cost incurred by that council under sub-paragraph (2) above.
- (5) Sub-paragraph (1) above, and sub-paragraph (2) above so far as relates to travel concessions granted on or after the date on which the repeal mentioned in sub-paragraph (1) above comes into force—
- (a) shall not apply in relation to any council unless there is in operation on that date a scheme established under section 93 of this Act by that council, or by authorities who include that council, which covers the whole of that council’s area; and
  - (b) where any such scheme which is in operation on that date subsequently ceases to operate, shall not apply in relation to the granting of travel concessions or (as the case may be) in relation to travel concessions granted at any time after the date on which the scheme ceases to operate.
- (6) The travel concessions—
- (a) that may be provided under the Acts of 1955 and 1964 or (as the case may be) under the Act of 1980 by virtue of sub-paragraph (1) above; and
  - (b) that may be financed by any council under sub-paragraph (2) above;
- shall be limited to concessions which correspond to travel concessions available at the time in question under the scheme mentioned in sub-paragraph (5) above.
- (7) For the purposes of sub-paragraph (3)(a) or (as the case may be) sub-paragraph (6) above, travel concessions correspond to any other travel concessions in question if they are—
- (a) of the same value;
  - (b) available subject to the same terms, limitations or conditions; and
  - (c) available to persons of the same descriptions;
- as those other concessions.
- (8) A council of any description within section 66(1) of this Act who at the time when that section comes into force are providing a service for the carriage of passengers by road which requires a PSV operator’s licence shall be regarded for the purposes of this paragraph as retaining their bus operating powers until section 66(1) has effect in relation to that council.
- (9) In this paragraph “local authority” has the same meaning as in section 93 of this Act, and expressions to which a meaning is given for any purposes of Part IV or Part V of this Act have the same meaning.

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**Marginal Citations**

**M1** 1980 c. 29.

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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. 6(2ZA) inserted by [2019 asp 17 s. 37\(2\)\(a\)](#)
- s. 6(7ZA) inserted by [2019 asp 17 s. 37\(2\)\(b\)](#)