

2002 No. 290

TRANSPORT

**The Travel Concessions (Eligible Services) (Scotland) Order
2002**

Made 10th June 2002

Laid before the Scottish Parliament 10th June 2002

Coming into force 1st July 2002

The Scottish Ministers, in exercise of the powers conferred by section 94(4) of the Transport Act 1985(a) and of all other powers enabling them in that behalf hereby make the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Travel Concessions (Eligible Services) (Scotland) Order 2002 and shall come into force on 1st July 2002.

Interpretation

2. In these Regulations “disabled person” has the same meaning as in section 1 of the Disability Discrimination Act 1995(b);

Eligible services

3.—(1) A service is an eligible service for the purpose of section 94(4) of the Transport Act 1985 if it is of one of the following classes:—

- (a) a local service provided or secured—
 - (i) by a local education authority pursuant to arrangements made under section 51 of the Education (Scotland) Act 1980(c); or
 - (ii) for persons who have attained the age of sixty years or disabled persons, and in respect of which the conditions set out in paragraph (2) are satisfied;
- (b) a local service, other than a service described in paragraph (1)(a), which is provided by means of a vehicle adapted to carry more than eight passengers (or by a smaller vehicle, but only if the services are operated in accordance with a timetable), and in respect of which the conditions set out in paragraph (3) are satisfied.

(2) The conditions referred to in paragraph (1)(a) are that—

- (a) seats on the vehicle by means of which the service is provided are normally available to members of the public and the service is regularly used by such members;
- (b) the stopping places (other than those to or from which the service is mainly provided) are situated at locations where they are likely to be used with reasonable frequency by members of the public;
- (c) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;

(a) 1985 c.67; section 94(4) was amended by the Transport (Scotland) Act 2001(asp 2) Schedule 2, paragraph 5.

(b) 1995 c.50.

(c) 1980 c.44.

- (d) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service; and
 - (e) arrangements are made which afford members of the public a reasonable opportunity to inform themselves of the existence of the service, the times of its operation, and the places which it serves.
- (3) The conditions referred to in paragraph (1)(b) are that–
- (a) at least half of the accommodation on the vehicle by means of which the service is provided is normally available to members of the public and the service is regularly used by such members;
 - (b) the stopping places are situated at locations where they are likely to be used with reasonable frequency by members of the public;
 - (c) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;
 - (d) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service;
 - (e) there is not displayed on the vehicle by means of which the service is provided any sign or description intended or likely to convey the impression that the service is only available to a particular category of person; and
 - (f) arrangements are made which afford members of the public a reasonable opportunity to inform themselves of the existence of the service, times of its operation and the places which it serves.

St Andrew's House,
Edinburgh
10th June 2002

LEWIS MACDONALD
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes classes of bus services which are eligible for the purposes of Part IV of the Transport Act 1985 (local passenger services) for participation in travel concession schemes, and reimbursement arrangements.

2002 No. 290

TRANSPORT

**The Travel Concessions (Eligible Services) (Scotland) Order
2002**

£1.75

© Crown Copyright 2002

Printed in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland
200 06/02 19593

